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Case No. 320-954

The document will be submitted on or before the date last specified above.

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FOREWORD.

In the opening paragraph of its report the Butler Committee observed: "Politically there are. . . . two Indias, British India, governed by the Crown according to the statutes of Parliament and enactments of the Indian Legislature, and the Indian States under the suzerainty of the Crown and still for the most part under the personal rule of the Princes. Geographically India is one and indivisible, made up of pink and yellow. The problem of statesmanship is to hold the two together".

2. That is how 19 years ago the problem of the Indian States presented itself to the authors of this important report on the Indian States. But were there really two Indias? And was the problem merely to hold them together?

3. A glance at the map (Appendix I) showed that geographically India was one and indivisible. The territories of the Indian States were dovetailed into, and closely interwoven with, those of what was then British India. Even where the map showed solid blocks of the Indian States the territories were so irregular that the States had enclaves in the Provinces and *vice versa*.

4. The main part of the communications essential to the welfare of the whole of the country passed in and out of the territories of the Indian States. A community of interests in the wider economic field linked the States with the Provinces. If the States and the Provinces failed to co-operate in implementing policies on matters of common concern, there was a vacuum which rendered it impossible to enforce effective measures in respect of such matters in any part of the country.

5. The geographical set-up of the Indian States did not coincide with any ethnic, racial or linguistic divisions. The peoples of the Provinces and the States had suffered alike from the waves of foreign invasions and foreign domination. Close ties of cultural affinity, no less than those of blood and sentiment, bound the people of the States and the Provinces together.

6. What was it then that separated the Indian States from the rest of India? Firstly, the historical factor that unlike the Provinces the States had not been annexed by the British Government. Secondly, the political factor that the States maintained the traditional monarchical form of Government.

7. Did these factors, however, really segregate the States from the Provinces and create an impassable political barrier between them? The freedom of the Indian States from foreign subjugation was only relative; the paramount power controlled the external affairs of the States and exercised wide powers in relation to their internal matters. The whole of the country was, therefore, in varying degrees under the sway of the British Government. Besides, in the context of the demand for India's freedom the degree of control exercised by the British power ceased to have any meaning. Nor was there any reason to over-emphasize the political difference between the States and the Provinces. There was nothing incompatible between the systems of governance in the Provinces and the States provided the supremacy of the common popular interests was recognised and representative and responsible Governments were established in the States.

8. India was, then, not only a geographical and cultural continuum but also one economic and political entity. The problem of statesmanship in

that case could not merely be to hold the two Indias together. The real problem was how to bring about a clearer appreciation on the part of all political elements in India that they were heirs to the heritage of the common culture of India, and how to weld the States and the Provinces together in a joint endeavour to raise India to her full stature.

9. On 3rd June, 1947, the plan for the partition of India was announced and accepted by the principal political parties in India. The period of one year following that fateful day will go down as a most momentous one in India's history not only because it was during this year that India attained her freedom, but also because it has witnessed a mighty interplay of two powerful forces. One has been the disruptive force of communal exclusiveness which has led to the secession from India of certain parts of this country and their constitution into an independent State. The other has been the revitalising and uniting force of enlightened mutual interests in a free and resurgent India which has swept away the barriers that separated the Indian States and the Provinces. How far in balance one process has set off the other is for the future to unfold.

10. During the recent months, a tremendous change has come over the Indian States. This change has been brought about by a process of two-fold integration, firstly, consolidation into sizeable and viable administrative units, and, secondly, growth of democratic institutions and responsible governments. This bloodless revolution has been brought about, on the one hand, by the operation of democratic forces unleashed by freedom, and, on the other, by the patriotic attitude of the Rulers who have been quick to appreciate the change.

11. It has been the policy of the Government of India to appropriate the sentiments and the wishes of the people and the sense of public service and patriotism of the Rulers, towards the attainment of the objective that they have had before themselves, namely, the integration of the Provinces and the States in a strong and united India in which the peoples of the States and the Provinces would partake in the fullest measure in the enjoyment of the fruits of freedom.

12. The purpose of this White Paper is to present information, backed by documents, regarding the policy of the Government of India towards the Indian States and the developments that have taken place in respect of the States since 5th July 1947, when the States Department of the Government of India was set up. An analysis of the historical and political background of the problem of the States will be helpful in taking stock of the great change that has come over them during the recent months. This is contained in the first two of the four parts into which this White Paper is divided. The first part gives statistics about the States and outlines their position under the paramountcy of the British Crown. The second part surveys the course of developments since the promulgation of the Government of India Act, 1935, till the Statement issued by His Majesty's Government on 3rd June, 1947. The third part deals with the events leading up to the accession of the States to the Dominion of India. The fourth part deals with subsequent developments in the direction of the integration and democratisation of the States.

13. This White Paper surveys the political trends and developments in respect of the Indian States generally; it does not deal with the States of Hyderabad, Kashmir and Junagadh, where the course of events has been affected by special factors.

July 5, 1948.

PART I.

INDIAN STATES UNDER PARAMOUNTCY OF THE BRITISH CROWN. GENERAL SURVEY.

INDIAN STATES.

1. Sub-Section (1) of Section 311 of the Government of India Act, 1935, which has now been omitted, defined 'Indian State' as including 'any territory, whether described as a State, an Estate, a Jagir or otherwise belonging to or under the suzerainty of a Ruler who is under the suzerainty of His Majesty and not being a part of British India'. In political practice the term applied to a political community occupying a territory in India of defined boundaries and subject to a common Ruler who enjoyed or exercised, as belonging to him, any of the functions and attributes of internal sovereignty duly recognised by the Paramount Power.

2. The Butler Committee and the Simon Commission applied this elastic term to 562 units, whereas the Joint Committee on Indian Constitutional Reforms referred to 600 units as States. The term covered at one end of the scale units like Hyderabad and Kashmir which were of the size of the United Kingdom, and at the other end minute holdings in Kathiawar extending only to a few acres.*

3. Out of the total area enclosed within the territories of pre-Partition India, i.e. 15,81,410 square miles, the Indian States covered an area of 7,15,964 square miles, which constituted about 45% of the total Indian territories. In post-Partition India, the area covered by the States geographically contiguous to India was reduced to 5,87,988 square miles, being about 48% of the total area of the Dominion of India, viz., 12,20,099 square miles. The Kashmir State with a territory of 84,471 square miles and the Hyderabad State closely following it with a territory of 82,813 square miles constituted the largest territorial units amongst the States. There were 15 States which had territories of more than 10,000 square miles and 67 having territories ranging from 1.000 to 10,000 square miles. There were 202 States having each an area of less than 10 square miles.†

4. The total population of the States according to the census figures of 1941 was 9,31,89,283, constituting about 24% of the total population of pre-Partition India, namely, 38,89,97,955; after Partition the total population of the Dominion of India was reduced to 81,89,12,506 and of the States within the geographical orbit of the Indian Dominion to 8,88,084,84 changing the relative population ratio of the States from 24% to 27%.

5. In pre-Partition India 16 States had a population of over one million. These 16 States plus 4 others with a population of more than 7-50 lakhs but less than a million were assigned individual representation in the Constituent Assembly. These 20 States claimed 60 seats in the Constituent Assembly as against 38 seats assigned to the rest of the States. Of these 20 States, 11 were entitled to send two or more representatives. Of the rest 18 had a population between five and seven and a half lakhs. The remainder of the 140 States which were members of the Chamber of Princes in their own right had a population ranging from 25,000 to 5,00,000.

6. The distribution of principal communities over the territories of the States in post-Partition India showed that 27% and 26% respectively of the total population of Hindus (including Scheduled Castes) and Muslims were to be found in the States. In the case of the Sikhs and Indian Christians, however, the percentage was much higher in that the States claimed 50%

*A statement showing area and population of the Indian States is appended (Appendix II).

†Figures of area and population are based on the Statistical Handbooks published by the Constituent Assembly.

of the Indian Christians and 36% of the Sikhs residing in the Dominion of India. The corresponding figures for pre-Partition India were: Hindus 25%, Muslims 16%, Indian Christians 46% and Sikhs 27%.

7. The revenues of the States, which in numerous cases did not reflect their relative areas and population, showed equal disparity. According to the latest figures available for three years' average annual revenue of the States, 19 States had a revenue of rupees one crore or more a year; seven had revenue ranging between fifty lakhs to one crore and the figure descended gradually till in the case of petty principalities it showed a revenue approximating to an artisan's average wages.

HISTORICAL SURVEY.

8. Historically the main common feature that distinguished the States from the Provinces was that the States unlike the Provinces had not been annexed by the British Power. In their individual origin, however, the evolution and growth of States represented different processes. Firstly, there were the old established States, such as those in Rajputana, which were in existence before the main waves of foreign invasion took place. Another class consisted mainly of the States with Muslim dynasties which were founded by the nobles or the Viceroys of the invading foreign Emperors. Thirdly, there were the States which emerged in the period of decline of the Moghul power and prior to the final stages of the consolidation of the British territory. Then there were the newer States, which the British recognised during the final period of consolidation. Only one State, namely, Benares, was set up and recognised since the assumption of the Government of India by the Crown.

GEOGRAPHICAL SURVEY.

9. Geographically the States were scattered over every portion of the map of India. The yellow and pink map of pre-Partition India (Appendix I) showed the Baluchistan States and the States of Kashmir and Sikkim (the last one sometimes shown in pale green to indicate that unlike other States it was under the External Affairs Department) on the frontiers of India. It showed in the north-east Cooch-Behar enclosed within the territories of the Bengal Province and the Manipur State surrounded by the territories of the Province of Assam. Southwards in the eastern portion of India the next block of Indian State territory was to be found in a chain of small States, which were known as the Chittisgarh and Orissa States. Further south figured the States of Hyderabad and Mysore, the latter a unit larger than the Irish Free State and having twice its population. Facing the Indian Ocean farther southwards still were the two densely populated States of Cochin and Travancore. Northwards up the west coast, and both on the coast and inland, were to be found various States mainly of the Mahratta period, the largest of these being Kolhapur. The chain of States ended with the State of Baroda made up of several separate areas to the north of Bombay Presidency. Further to the north-west lay the extremely numerous assemblage of States and Estates included in the Western India States Agency, of which the better known were Kutch, Nawanagar, Bhavnagar and Junagadh. To the north-east of Bombay, separating Bombay and the Central Provinces from the United Provinces, lay the main mass of Central India States which included Gwalior, Indore and Rewa. The northern and north-western portion of Bombay was divided from the Punjab by the wide strip of Rajputana States. Among the States of this group, which constituted the largest unit of the Indian States, were the important Rajputana States of Bikaner, Jaipur, Jodhpur, and Udaipur. In the United Provinces were to be found the isolated States of Tehri-Garhwal, Rampur and Benares. To the north-west were the Punjab States including Patiala stretching up to Simla; and the

States of Jind, Nabha and Kapurthala; and a number of smaller States. Further west appeared the State of Bahawalpur. The State of Khairpur lay in the geographical orbit of Sind.

POLITICAL DIVERSITY OF STATES.

10. The internal administration of the States and their political set-up varied greatly. There was a very wide difference in the degree of administrative efficiency reached by the most advanced and the most backward. According to the information circulated by the Chamber of Princes in 1946, over 60 States had set up some form of legislative bodies. In several others, schemes for associating people with the governance of their States were under consideration. In most of the cases, the development of representative institutions did not approximate to the growth of self-governing institutions in the Provinces, which were on the threshold of complete freedom. However, everywhere there was a growing consciousness of the rights and liberties of the people and a new spirit was abroad.

THREE CATEGORIES OF STATES.

11. According to the Butler Committee the Indian States as they existed could be classified into three distinct categories:—

- (i) States, the Rulers of which were members of the Chamber of Princes in their own right. 108 in number.
- (ii) States, the Rulers of which were represented in the Chamber of Princes by 12 members of their Order elected by themselves. 127 in number.
- (iii) Estates, Jagirs and others. 327 in number.

The first category included the Ruling Princes who enjoyed permanent dynastic salute of 11 guns or more, together with other Rulers of the States who exercised such full or practically full internal powers as, in the opinion of the Viceroy, qualified them for individual admission to the Chamber. As a result of fresh admissions, the membership of the Chamber was enlarged to 140 States.

THE CHAMBER OF PRINCES.

12. The Chamber was a deliberative, consultative, and advisory body, which was brought into being by a Royal Proclamation on 8th February, 1921. The establishment of the Chamber did not affect the individual relations between any State and the Representative of the Crown, but it involved a deviation from the earlier policy under which the Crown discouraged joint action and deliberation between the Indian States.

TREATIES, ENGAGEMENTS AND SANADS.

13. There were 40 States which had treaties with the Paramount Power. A larger number of States had some form of engagements or Sanads, i.e., acknowledgment of concession or authority or privileges generally coupled with conditions proceeding from the Paramount Power. The remainder enjoyed in some form or other recognition of their status by the Crown. More than 2/3rds of the population of Indian States was to be found in the States governed by treaties.

14. The Treaties, Engagements and Sanads covered a wide field. The more important of them related to mutual amity and defensive alliance. These generally provided for territorial integrity, internal sovereignty and

protection of States; prohibition of external intercourse and mutual aggression; the right of the British Government to advise in certain circumstances; and tributes if any.

15. A number of them dealt with allied matters such as exchange, cession and gift of territories; cession of jurisdiction for railway and other purposes; cantonments and Imperial Service troops.

16. The Treaties dealing with important financial and economic matters included Postal and Postal Conventions; Currency and coinage arrangements, engagements for opium, Salt agreements, arrangements for exchange of postal correspondence, telegraph and telephone lines.

17. Lastly, there were miscellaneous agreements such as those relating to certain trade arrangements, construction of canals, leasing of forests and construction of waterways.

18. The rights and obligations of the States arising out of these agreements varied from State to State. Thus for instance so far as the arrangements for exchange of postal correspondence were concerned, five States were entitled to maintain separate postal system and they had Conventions with the Government of India which provided *inter alia* for mutual exchange of correspondence, parcels, money orders, etc. Ten other States were entitled to maintain a separate postal system but had no postal agreements with the Government of India. Twenty-seven States were entitled to receive service stamps free of cost. In six States official correspondence passing within the State and intended for delivery within it was carried free of charge by the Postal Department of the Government of India.

RELATIONSHIP BETWEEN THE PARAMOUNT POWER AND THE INDIAN STATES.

19. The paramountcy of the British Crown was not co-extensive with the rights of the Crown flowing from the Treaties. It was based on Treaties, Engagements, Sanads as supplemented by usage and sufferance and by decisions of the Government of India and the Secretary of State embodied in political practice. The rights that the Paramount Power claimed in exercise of the functions of the Crown in relation to the States covered matters both external and internal.

20. For external purposes State territory and the State subjects were in the same position as British territory and British subjects. The States had no international life and in consequence of the loss by them of their power of negotiation and legation, the paramount power had the exclusive authority of making peace or war or negotiating or communicating with foreign States. The rights and duties assumed by the Paramount Power in regard to external affairs carried with them consequential rights and duties. The Paramount Power was responsible for implementing its international commitments; the Princes were required to give effect to the international obligations entered into by the Paramount Power.

21. The right of intervention in the internal affairs could be exercised for the benefit of the Ruler, of the State, of India as a whole or for giving effect to international commitments. The authority of the Paramount Power could thus be interposed *inter alia* for the prevention of dismemberment of a State, the suppression of a rebellion against the lawful sovereign, the prevention of gross misrule, the economic growth of the whole of India, checking inhuman practices or offences against natural law or public morality.

22. The Paramount Power was responsible for the defence of both British India and the Indian States and exercised full control over all

matters connected with defence, such as the establishment of cantonments, the regulation of the strength of the armed forces of the States, the procurement of supplies, free passage of troops, supply of arms and ammunition, etc.

23. Lastly the Paramount Power claimed certain important rights as derived from the Royal Prerogative. These included the exclusive right to settle precedence and to grant honours; to regulate ceremonies; to recognise all successions and to settle disputes as to succession; to impose or remit *nazarana* or succession duties; to take charge of the States of minors and to provide for their education; and to impose the duty of loyalty to the Crown.

24. Paramountcy thus made serious incursions into the internal sovereignty of the States and it was natural that the Rulers should seek codification of the political practice. The appointment of the Indian States Committee in 1927 to report upon the relationship between the Paramount Power and the Indian States was an outcome of these efforts. The Committee, however, found it impossible to evolve a formula which would cover the exercise of Paramountcy. It expressed the view that "Paramountcy must remain paramount; it must fulfill its obligations, defining or adapting itself according to the shifting necessities of the time and the progressive development of the States.".

Such was the political set up of the Indian States under the Paramountcy of the British Crown.

PART II

THE STATES UNDER THE SCHEME OF THE GOVERNMENT OF INDIA ACT, 1935, AND SUBSEQUENT PLANS FOR INDIA'S CONSTITUTIONAL ADVANCEMENT.

FEDERAL SCHEME.

25. The Federal Scheme embodied in the Government of India Act, 1935, was the first effort to provide for a constitutional relationship between the Indian States and the Government of India on a federal basis. One of the special features of this scheme was that, whereas in the case of the Provinces accession to the federation was to be automatic, in the case of the States accession was to be voluntary and the establishment of the contemplated federation was conditional on the accession of States entitled to fill not less than 52 seats of the Council of State, and having an aggregate population of not less than one half of the total population of the States.

26. The accession was to be effected by the King's acceptance of an Instrument of Accession, the terms of which made it clear that the Act asserted no authority over the State save such as flowed from the Ruler's freely-executed Instrument. In the extra-federal field the paramountcy of the British Crown was to continue.

27. The Instrument, which was to be the overriding document, was to govern the accession and had to specify the matters on which the Federal Legislature was to have power to legislate for the State, and any limitations subject to which the legislative and executive power of the federation was to be exercised in relation to that State.

28. The Instruments were to provide that a number of provisions of the Act, which were specified in the Second Schedule to the Act, might be amended without affecting the accession of the States, but no such amendment was to extend, unless accepted by the Rulers concerned, by means of supplementary Instruments, the functions exercised by any federal

authority in respect of the States. Thus apparently any change in the basic structure of the federation or any amendment materially altering such provisions as those relating to the position of the Governor-General in respect of External Affairs and Defence would have affected the accession of the States. From the point of view of the progressive public opinion in British India, these provisions seemed to rule out completely the transfer of responsibility at the Centre.

29. It was not obligatory for the King to accept any Instrument. In fact, it was provided that no Instrument would be accepted, the terms of which were inconsistent with the scheme of the federation embodied in the Act.

30. An important feature of this scheme was that the proposed federation was to be composed of disparate constituent units in which the powers and authority of the Central Government were to differ as between one constituent unit and another. This anomaly was sought to be justified on the ground that it was only by limiting the content of the accession of the States, which had enjoyed a considerable measure of internal sovereignty, that they could be brought into a constitutional relationship with the Government of India. It was urged that the measure of unity that could be conferred by an all-India federation would bring added strength, stability and prosperity to India as a whole and would outweigh the disadvantages of its anomalies and imperfections.

31. The promulgation of the Act of 1935 was followed by protracted negotiations during the course of which the draft of the Instrument of Accession underwent several changes. However, till September 1939 when the suspension of negotiations in that behalf was announced, the establishment of the contemplated federation was not in sight. To the Princes much of the essence of federation appeared to turn out to be the negation of all to which they had been accustomed. Their approach to the problem was governed by the view that their accession to federation involved a process of levelling down so far as their internal sovereignty was concerned, as against the Provinces which were to be levelled up as autonomous units and that, therefore, the Provinces and States could not be treated alike. On the other hand, progressive public opinion in British India hardened against the apparent effort of the Princes to whittle down the content of their accession to a farce, as also against such reactionary features of the federal scheme as the installation of dyarchy at the Centre in the form of the reserved subjects in the hands of the Governor-General. In the meantime, the Muslim League veered round to a position of determined hostility to all constitutional plans which envisaged a common centre for the whole of India. Denounced by the main political elements in India for diverse reasons, the federal scheme of 1935 died 'unhonoured' and 'unsung'.

CRIPPS PLAN.

32. With the abandonment of the federal scheme, which was announced by Lord Linlithgow on 11th September, 1939, the power to veto responsibility at the Centre, which had virtually vested in the Rulers of Indian States, passed out of their hands. This was evident from the position that was assigned to the States in the next important announcement on the constitutional set up of India, viz., the draft declaration known as the Cripps Plan.

33. The immediate purpose of the Cripps Mission was to induce the British Indian Party leaders to agree to share the responsibilities of the Central Government in which the States were not required to participate. The main reason for proposing the scheme for

constitution-making was to promote such an agreement. The draft Declaration therefore primarily concerned itself with British India. It promised the non-acceding Provinces, if they so desired, "the same full status as the Indian Union", but as regards the States it only stated that, whether or not a State adhered to the new Constitution it would be 'necessary to negotiate a revision of its treaty arrangements so far as they may be required in the new situation'.

34. The Cripps Plan, as it stood, seemed to differentiate between the Provinces and the States in applying the principle of non-adherence. Attention to this apparent discrepancy was drawn in a memorandum submitted to Sir Stafford Cripps by the Delegation of Indian States in which it was urged that 'non-adhering States or a group of States should have the right to form a Union of their own with full sovereign status in accordance with a suitable and agreed procedure for the purpose'. It was emphasised on behalf of the States Delegation that the existence of such a provision, which would place the States at par with the Provinces for constitutional negotiations, need not necessarily lead to the setting up of a separate Union or Unions of the Indian States. In fact, it was stated that the Indian States would make their fullest contribution towards evolving an Indian Union acceptable to them and to other Units in India. Sir Stafford Cripps told the States' Delegation that the contingency of a separate Union or Unions of the States had not been considered in connection with the Draft Declaration, but he personally did not see any fundamental impossibility in the suggestion.

35. The Cripps Plan accepted the principle of self-determination, but it was full of snags, which imperilled the future of India. Even more unsatisfactory than the picture it painted was that the Plan contained was its niggardly and halting approach to the present. The failure of the Cripps Mission gave a new turn to India's political struggle.

SIMLA CONFERENCE OF 1945.

36. In spite of the deepening crisis of the war, no further serious effort was made to resolve the political deadlock in India until the Simla Conference of 1945. In view of its limited objective, the States were not invited to this Conference. It turned out to be no more than a full-dress rehearsal of the Cripps drama: the usual series of conferences, an occasional flicker of hope, the final veto of communal intransigence and a trail of bitterness and frustration.

CABINET MISSION'S PLAN.

37. The assumption of power by Labour in England, the increasing international complications, the aftermath of the war and the growing realisation of the fact that it was impossible to keep under subjection four hundred millions of exasperated people, brought about a change in the British policy towards India. A Parliamentary Delegation visited India in 1945-46 to gain first-hand knowledge of the political situation in this country. On 19th February 1946 the Secretary of State for India, Lord Pethick-Lawrence, announced his Government's decision to send a delegation of three Cabinet Ministers to India.

38. The Cabinet Mission which consisted of Lord Pethick-Lawrence, Sir Stafford Cripps and Mr A. V. Alexander arrived in India on 23rd March, 1946. In earlier announcements the States had been assured that there was no intention on the part of the Crown to initiate any change in their relationship with the Crown without their consent. It was, however, expected that the consent of the Princes to any changes which might emerge as a result of negotiations would not be unreasonably withheld. In his letter to the Chancellor of the Chamber of Princes, dated

12th May, 1946, Lord Wavell repeated the assurance, that there was no intention of making proposals for the entry of States into the Indian set-up on any basis other than of negotiation.

39. On 12th May, 1946, the Cabinet Mission issued the Memorandum in regard to States' Treaties and Paramountcy (Appendix III); it affirmed that the rights of the States which flowed from their relationship with the Crown would no longer exist and that the rights surrendered by the States to the Paramount Power would return to the States. The void caused by the lapse of Paramountcy was suggested to be filled either by the States entering into a federal relationship with the successor Government or Governments in British India, or by entering into particular political arrangements with it or them. The memorandum also referred to the desirability of the States, in suitable cases, forming or joining administrative units large enough to enable them to be fitted into the constitutional structure, as also of conducting negotiations with British India in regard to the future regulation of matters of common concern, specially in the economic and financial field.

40. The Cabinet Mission's Plan announced on 16th May, 1946, (Appendix IV), provided for the entry of the States into the proposed Union of India in the following manner:—

(a) Paramountcy could neither be retained by the British Crown nor transferred to the new Government. But according to the assurance given by the Rulers that they were ready and willing to do so, the States were expected to co-operate in the new development of India.

(b) The precise form which the co-operation of the States would take must be a matter for negotiation during the building up of the new constitutional structure, and it by no means followed that it would be identical for all the States.

(c) The States were to retain all subjects and powers other than those ceded to the Union, namely, Foreign Affairs, Defence and Communications.

(d) In the preliminary stage the States were to be represented on the Constituent Assembly by a Negotiating Committee.

(e) In the final Constituent Assembly they were to have appropriate representation, not exceeding 98 seats; the method of selection was to be determined by consultation.

(f) After the Provincial and Group Constitutions had been drawn up by the three Sections of the Constituent Assembly, the representatives of the Sections and the Indian States would reassemble for the purpose of settling the Union constitution.

The Plan did not deal with the States in detail and its vague provisions regarding the association of the States with the Constituent Assembly caused some difficulty as regards the stage at which they could come in as regular members of the Constituent Assembly.

41. In its Resolution, dated 24th May 1946, the Congress Working Committee expressed the view that the Constituent Assembly could not be formed by entirely disparate elements and the manner of selecting States' representatives for the Constituent Assembly must approximate in so far as was possible to the method adopted in the Provinces. However, in the Press Statement issued by the Cabinet Mission on 25th May, 1946, it was reaffirmed that the question of how the States' representatives should be appointed to the Constituent Assembly was not a matter for decision by the Cabinet Mission and was clearly one which must be discussed with the States.

42. In his Statement before the House of Lords on 18th July, 1946, Lord Pethick-Lawrence repeated the assurance that it was for the States freely to come in or not as they chose. In a statement made before the House of Commons on 18th July, 1946, Sir Stafford Cripps stated that there would have to be close negotiations between the Negotiating Committee which the States had set up and the major British Indian parties, both as to the representation of the States in the Constituent Assembly and as to their ultimate position in the Union.

43. The Standing Committee of the Chamber of Princes in its Statement, dated 10th June, 1946, expressed the view that the Plan provided a fair basis for negotiations and subsequently set up a representative committee to negotiate the States' entry into the Constituent Assembly.

44. By a resolution passed on 21st December, 1946, the Constituent Assembly appointed a Committee to confer with the Negotiating Committee set up by the Chamber of Princes "for the purpose of:—

(a) fixing the distribution of the seats in the Assembly not exceeding 93 in number which in the Cabinet Mission's Statement of 16th May, 1946, are reserved for Indian States,

(b) fixing the method by which the representatives of the States should be returned to the Assembly".

45. The settlement arrived at between the two Committees is embodied in the report, dated 17th April, 1947, of the Committee appointed by the Constituent Assembly.

During the course of the negotiations between the two Committees, it was suggested that His Majesty's Government's Statement of 20th February, 1947, had introduced an additional element of urgency and that it would be helpful if the States' representatives joined the Assembly during the April, 1947, session. Although the States' Negotiating Committee expressed its inability to adopt such a course in the absence of a mandate from the General Conference of Rulers, the representatives of the States of Baroda, Cochin, Jaipur, Jodhpur, Bikaner, Patiala and Rewa took their seats in the Constituent Assembly on 28th April, 1947. With the exclusion of the States that have gone over to Pakistan, the States' representation on the Constituent Assembly was reduced from 93 to 90 seats. Of these, 54 seats have been filled. Of the States which have been allotted individual representation and which have acceded to the Dominion of India, all States except Kashmir, Bhopal and Travancore have sent their representatives. Hyderabad has not yet acceded to the Dominion and has, therefore, not agreed to send any representatives. Representatives have been returned by all the Groups though certain States in some of them did not participate in their selection.

HIS MAJESTY'S GOVERNMENT'S STATEMENT OF 3RD JUNE, 1947.

47. His Majesty's Government's Statement of 3rd June, 1947, which superseded the Cabinet Mission's Plan of 16th May, 1946, contained the following reference to the States:—

"His Majesty's Government wish to make it clear that the decisions announced above relate only to British India and that their policy towards Indian States contained in the Cabinet Mission Memorandum of 12th May, 1946, remains unchanged."

48. This Statement was accepted by both the Congress and the Muslim League, and formed the basis of the method of the transfer of power to the successor Governments.

PART III.

ACCESSION OF THE STATES TO THE DOMINION OF INDIA.

LAPSE OF PARAMOUNTCY.

49. Till the lapse of Paramountcy, the Crown as represented by and operating through the Political authorities provided the nexus between the Indian States and the Central and Provincial Governments. The pivot of this arrangement was the Viceroy, who represented to the Indian States the suzerainty of the British Crown while at the same time he was, in relation to British India, the head of the Government. The Indian Independence Act released the States from all their obligations to the Crown and it was evident that if in consequence the Indian States became separate independent entities, there would be a serious administrative vacuum not only with regard to the political relationship between the Central Government and the States, but also in respect of the co-ordination of all-India policies in the economic and other fields. All that the Dominion Government inherited from the Paramount Power was the proviso to Section 7 of the Indian Independence Act, which provided for the continuance, until denounced by either of the parties, of agreements between the Indian States and the Central and Provincial Governments in regard to specified matters, such as Customs, Posts and Telegraphs, etc. (Appendix V).

STATES DEPARTMENT.

50. It was against this background that the Government of India decided to set up a Department to conduct their relations with the States in matters of common concern.

51. On 13th June, 1947, His Excellency the Viceroy, Lord Mountbatten, invited Pandit Nehru, Sardar Patel and Acharya Kripalani (on behalf of the Congress); Mr. Jinnah, Mr. Liaquat Ali Khan, and Sardar Nishtar (on behalf of the Muslim League); and Sardar Baldev Singh (on behalf of the Sikhs); to attend a meeting to discuss the problem of the States. Sir Conrad Corfield (Political Adviser) was also present. Among the agreed conclusions reached at this meeting was the following:—

“That it would be advantageous if the Government of India were to set up a new Department, possibly called the “States Department”, to deal with matters of common concern with the States; that, if this were done, the new Department should be divided into two sections, ready for the partition of the country; and that the existing Political Department and the Political Adviser should give all possible assistance and advice in the formation of this new Department.”

52. The above conclusion was considered, in the form of a recommendation, by the Cabinet of the Interim Government at its meeting on 25th June, 1947, and the decision of the Cabinet in that behalf was announced in the Press Communiqué issued on 27th June, 1947, which read:—

“In order that the successor Governments will each have an organisation to conduct its relations with the Indian States when the Political Department is wound up, His Excellency the Viceroy, in consultation with the Cabinet, has decided to create a new Department called the States Department to deal with matters arising between the Central Government and the Indian States. This Department will be in charge of Sardar Patel, who will work in consultation with Sardar Abdur Rab Nishtar.

the new Department will be organised in such a way and its work so distributed that at the appropriate time it can be divided up between the two successor Governments without any dislocation.

Mr. V. P. Menon will be the Secretary of the new Department."

Sardar Nishtar was thus nominated as the Muslim League member of the Interim Government to be consulted in the working of the new department: Mr. Ikrumullah was appointed Joint Secretary of it. It was intended that with effect from 15th August, 1947, they would hold charge of the States Department of Pakistan.

NECESSITY OF A COMMON CENTRE.

53. The decision to partition India was a severe blow to the political and geographical integrity of India. The unity of what was to be left as India after the partition, was so vital a necessity not only for the political strength, full economic development and cultural expression of the Indian people, but also for facing the aftermath of the partition, that the Government of India could not view with equanimity any trifling with it. The situation was indeed fraught with the gravest danger for as Professor R. Coupland has put it "India could live if its Muslim limbs in the north-west and north-east were amputated, but could it live without its heart?" The first task to which the newly created States Department had to address itself, therefore, was the conserving of the heart of India. This required a common centre for the whole country including the Indian States, able to function effectively in the Provinces and States alike in matters requiring all-India action.

SARDAR VALLABHBHAI PATEL'S STATEMENT OF 5TH JULY, 1947.

54. On the day the States Department came into being, i.e., 5th July, 1947, the Hon'ble Sardar Patel, Member for States Department, issued an important statement (Appendix VI), defining the policy of the Government of India, in which he assured the States that no more was asked of them than accession on the three subjects of Defence, Foreign Affairs and Communications, in which the common interests of the country were involved, and that their autonomous existence would be scrupulously respected. He gave a further assurance that it would not be the policy of the States Department to conduct the relations with the States in any manner which savoured of the domination of one over the other; and that if there would be any domination, it would be the domination of mutual interests and welfare. The Hon'ble Member expressed the hope that the Indian States would bear in mind that the alternative to co-operation in the general interest was anarchy and chaos which would overwhelm great and small in a common ruin if the States and Provinces were unable to act together in the minimum of common task.

55. The Statement made by the Hon'ble Member for the States Department was favourably received in the Princely circles and informal consultations which followed paved the ground for the negotiations leading up to the execution of the Instruments of Accession and Standstill Agreements.

SPECIAL MEETING OF PRINCES ON 25TH JULY, 1947.

56. The task of conducting negotiations with the Princes was entrusted by the Government of India to His Excellency Lord Mountbatten, who was then the Crown Representative. His Excellency called a special full meeting of the Chambor of Princes on 25th July, 1947 (Appendix

VII). The meeting had been convened originally to consider the formula regarding Standstill Agreements. However, the States Department considered the question of the accession of the States to the Dominion of India as one of vital importance and included the item in the agenda of the Conference. In the course of his address His Excellency advised the Rulers to accede to the appropriate Dominion in regard to three subjects of Defence, External Affairs and Communications, and assured them that their accession on these subjects would involve no financial liability and that in other matters there would be no encroachment on their internal sovereignty. At the end of the meeting His Excellency announced the personnel of the Negotiating Committee which was set up to negotiate on behalf of the States the terms of their accession to the Dominion of India.

SUCCESSFUL CONCLUSION OF NEGOTIATIONS.

57. When one looked back upon the barren course of the infructuous negotiations in connection with the scheme embodied in the Act of 1935 it seemed an impossible task to finalise the accession of the States within a reasonable period, particularly when there was no sanction of the paramountcy behind the negotiations. It is worth quoting the Sapru Committee in this connection:—

“.....the experience of the negotiations which Lord Linlithgow inaugurated and conducted between 1936 and 1939 do not encourage the hope that these consultations and investigations can be successfully concluded except with the exercise of infinite patience and after the lapse of several years. To hang up the federal Union of such units as are willing to federate until some State, or a minimum number of States, or the last hesitant State has agreed to accede would be a policy which is calculated to postpone indefinitely the elimination of foreign rule and the achievement of full self-government.”

The fact, however, that India stood on the threshold of freedom contributed greatly towards a more realistic approach to the problem than had been the case in the past. The impending transfer of full power to a National Government having the will and the sanction of the Indian people behind it, personal contact between the leaders of public opinion in India and the Rulers of States rendered possible by the withdrawal of the Paramount Power's previous policy of political isolation of States, and the patriotic lead given by some of the leading Princes enabled the Rulers of States to appreciate that it was both in the interest of their States and the country that the States should become actively associated with the Dominion Government instead of holding a watching brief as it were in the deliberations of the Constituent Assembly. With their valuable assistance and co-operation and the helpful efforts of Lord Mountbatten, negotiations were concluded in a week's time and, barring Hyderabad, Kashmir and Junagadh, all the States in the geographical limits of India acceded to the Indian Dominion.

INSTRUMENT OF ACCESSION.

58. The Instruments of Accession executed by the Rulers (Appendix VIII) provided for the accession of States to the Dominion of India on the three subjects, namely, Defence, External Affairs and Communications, their content being as defined in List I of Schedule VII to the Government of India Act, 1935. The Instrument of Accession formulated as a result of the discussions with the Princes was accepted only from the States which

exercised full jurisdiction. The States, in respect of which the Crown Representative exercised certain powers and jurisdiction, signed Instruments of Accession which provided also for the exercise of similar powers and jurisdiction by the Dominion Government.

STANDBSTILL AGREEMENTS.

59. Standstill Agreements, the acceptance of which was made by the Government of India immediately on accession by the States concerned, were also entered into between the Dominion Government and the acceding States. The Standstill Agreements (Appendix IX) provided for the continuance for the time being of all subsisting agreements and administrative arrangements in matters of common concern between the States and the Dominion of India or any part thereof.

SIGNIFICANCE OF CONSTITUTIONAL RELATIONSHIP BETWEEN THE INDIAN DOMINION AND THE STATES.

60. The accession of the Indian States to the Dominion of India established a new and more organic relationship between the States and the Government of India. The constitutional link thus forged proved strong enough to bear the stress of the upheaval through which the country has had to pass and enabled the Government of India and the Governments of the States and the Provinces concerned to take concerted and co-ordinated action in relation to matters of common concern.

61. The accession of the States to the Dominion of India was a momentous event in India's history. The full significance of this important development can be appreciated only if it is viewed against its most unpropitious background. For over half a century, the States had been a sealed book so far as the leaders of public opinion in British India were concerned. High walls of political isolation had been reared up and buttressed to prevent the infiltration of the urge for freedom and democracy into the Indian States. Disruptive tendencies had been sedulously cultivated and encouraged and proposals for not only one but several Rajasthans were in the air. There were not a few who nursed the hope that, overwhelmed by the combined weight of the partition of India and the disruption of the States, the Government of India would go under.

62. In the context of these heavy odds and handicaps, the consummation of the ideal of a federal India, comprising both the Provinces and the States, was not a mean achievement. For the first time, after hundreds of years, India became welded into a constitutional entity.

PART IV.

INTEGRATION AND DEMOCRATIZATION OF STATES.

63. The accession of the Indian States to the Dominion of India was the first phase of the process of fitting them into the constitutional structure of India. The second phase which has rapidly developed during the recent months has involved a process of two-fold integration, external integration, i.e., consolidation of small States into sizeable administrative units, and inner integration, i.e., the growth of democratic institutions and responsible Governments in the States.

PROBLEM OF SMALLER STATES.

64. The small State has been the most vulnerable link in the chain of the Indian States. In 1933 the problem of consolidating some of the small States into local confederacies for the purpose of not only remedying their administrative deficiency but also facilitating their inclusion in any

federal arrangements applicable to India as a whole was considered, but was eventually dropped as impracticable.

65. In March 1939 Lord Linlithgow in his inaugural address to the Chamber of Princes stressed the desirability of the States with limited resources making arrangements for co-operative grouping for administrative purposes. The subject thereafter figured in all Chamber discussions and led to various co-operative grouping arrangements in different regions but these arrangements generally did not go beyond providing for common High Courts and common advisory staff for the Police force.

66. On 16th April, 1948, the Political Department issued a communiqué announcing the attachment with certain larger States of the small Western India States which collectively covered an area of 7,000 square miles with a population of 8 lakhs. It announced the important principle that nothing which was not inherently capable of survival should be artificially perpetuated, and that the ultimate test of fitness for the survival of any State was its capacity to secure the welfare of its subjects. All these half-hearted measures hardly touched the fringe of the problem and when the Government of the Dominion of India inherited this difficult legacy, they were convinced that a more radical and realistic approach to the problem was clearly indicated.

POPULAR MOVEMENTS IN STATES.

67. 'Hopes and aspirations', wrote the authors of the Montagu-Chelmsford Report twenty-nine years ago, 'may overlap frontier lines like sparks across a street'. The events in the States since 15th August, 1947, have borne out the truth of this statement.

68. With the advent of independence, the popular urge in the States for attaining the same measure of freedom as was enjoyed by the people in the Provinces gained momentum and unleashed strong movements for the transfer of power from the Rulers to the people. The Rulers, who were quick to appreciate the legitimate aspirations of their people, gave them responsible Government.

MERGER OF ORISSA AND CHATTISGARH STATES

69. So far as the larger States are concerned, the democratization of administration may be a satisfactory solution of their constitutional problem; however in the case of small States which are inherently incapable of survival as separate autonomous units, responsible Government would only prove a farce. It was only to be expected, therefore, that when popular movements started in small States, they would not be able even to maintain law and order. This was particularly evident in the Eastern States known as Chattisgarh and Orissa States. The law and order situation in some of these States was so bad as to constitute a threat to the peace and tranquillity of the adjoining Provinces.

70. So far as the Orissa States were concerned, the Orissa Sub-Committee appointed by the Simon Commission, which was presided over by Mr. Attlee, had expressed the view that the Orissa feudatory States should be brought into relationship with any administrative set-up for Orissa. Subsequent Committees of inquiry relating to the setting up of Orissa as a separate Province were all of the opinion that the problem of Orissa States could not be divorced from that of the rest of the Province. These views, however, did not find favour with the late Political Department and nothing was done to implement the recommendations for integrating the Orissa States with the Orissa Province. The problem of the Chhattisgarh States, which were geographically and linguistically linked with the Central Provinces, was more or less identical with that of the Orissa States.

71. It was in the context of these events that in the second week of December, 1947, the Hon'ble Sardar Vallabhbhai Patel visited Cuttack and Nagpur. The interests of the people no less than those of the Rulers of these States, as also the wider interests of the country, demanded a direct recourse to the obvious solution of the problem, which had been delayed so long under the old régime. The National Government of free and democratic India could not temporize or tinker with an issue having so direct a bearing on the unification and planned economic progress of India. The Hon'ble Sardar Patel had long discussions with the Rulers of these States and it was eventually decided to integrate these small States with the adjoining Provinces. This important decision, the implementation of which was facilitated by the very helpful attitude of the Rulers, securely laid the foundation of the policy of the integration of the small States.

72. The Orissa and Chattisgarh States numbering 39 covered an area of about 56,000 square miles with a revenue of Rs. two crores and a population of 7 millions. The agreements (Appendix X) signed by the Rulers of these States on 14th December 1947, and subsequent dates, provide for cession by them to the Dominion Government of full and exclusive authority, jurisdiction and powers for and in relation to the governance of their States.

73. These as well as similar other agreements subsequently entered into, whether providing for the merger of States into the Provinces of India or for the integration of the territories of States in larger Units, guarantee to the Rulers concerned their succession, Civil List, personal property, rights, privileges, dignities and titles. The Civil List that has been guaranteed is generally less than the percentage for the Deccan States under the award given by Dr. Rajendra Prasad, Shri Shanker Rao Dev and Dr. Pattabhi Sitaramaiyya. It is calculated on the basis of 15% on the first lakh of the average annual revenue of the State concerned, 10% on 2 to 5 lakhs, and 7½% above 5 lakhs, subject to a maximum of 10 lakhs.

74. The administration of these States was made over to the Governments of Orissa and the Central Provinces on 1st January 1948. The Ruler of the Central India State of Makrai also later signed a similar agreement and the administration of the State was integrated with that of the Central Provinces with effect from 1st February 1948. The 25 States which merged with Orissa under these arrangements included Seraikela and Kharsawan. On further consideration, however, it was realised that on account of the situation of these two States as island territories in Singhbhum district it was impossible for any Government other than that responsible for the administration of that District to administer them effectively. The Government of India accordingly took over from the Government of Orissa the administration of these States and made it over to the Government of Bihar on May 18th, 1948.

HON'BLE STATES MINISTER'S STATEMENT ON POLICY OF INTEGRATION AND DEMOCRATIZATION.

75. On 16th December, 1947, the Hon'ble Minister for States issued a statement (Appendix XI) explaining the background of the Agreement reached with the Rulers of the Orissa and Chattisgarh States, in the course of which he stressed the following important points:—

- (a) Democratization of the administration which had long been the keynote of the Congress policy towards the States had become a pressing problem since 15th August.

(b) Democracy and democratic institutions could function efficiently only where the Unit to which these were applied could subsist in a fairly autonomous existence. Where on account of smallness of its size, isolation of its situation and inadequacy of its resources, a State was unable to afford a modern system of Government, both democratization and integration were clearly and unmistakably indicated.

MERGER OF DECCAN STATES.

76. The merger of the Eastern States gave an impetus to the people of other States with limited resources to seek a similar remedy for their difficulties. The Deccan States which had previously decided to merge their sovereignty in the proposed United Deccan State now decided in favour of the security that integration with a resourceful unit such as the Bombay Province could provide, as against the hazards of separate existence as small units. They signed merger agreements on 19th February, 1948, and subsequent dates. The other States signed similar agreements and all States in Deccan except Kolhapur have been administratively integrated with the Province of Bombay. The seventeen Deccan States that have thus merged in Bombay covered an area of 7,651 square miles with a population of about 17 lakhs and a revenue of about Rs. one crore and forty-two lakhs.

MERGER OF GUJARAT STATES.

77. Another group of States that has merged with the Bombay Province consists of the Gujarat States. The fact that the northern-most of these States, namely, Palanpur, Sirohi and Radhanpur, are situated close to the Indian border made it essential that a stable and efficient administration should be established in this area. The formation of a Union of the Gujarat States by themselves had to be ruled out on account of the fact that these States united together would not have constituted a viable unit. Geographically, the territories of these States are interlaced and interspersed with the Baroda State territories and the Ahmedabad and Khera Districts of Bombay. Lack of geographical cohesion also rendered it difficult to unite and integrate the territories of these States into one unit. The second alternative of the formation of a Union of these States with the neighbouring State of Baroda had also to be ruled out, because of geographical difficulties as also on account of the unwillingness of the Ruler of Baroda, which is a viable unit by itself, to merge Baroda's identity into a Union composed of all the Gujarat States. After prolonged discussions in Bombay on 17th March, 1948, the Rulers of the jurisdictional Gujarat States agreed that merger with the Bombay Province was the only solution of their constitutional problem. One distinguishing feature of the merger agreements signed by the Rulers of the Gujarat States on 19th March, 1948, is the provision for a Council of Rulers on the model of the Council of Rulers in the United State of Kathiawar, for deciding cases of disputed succession after reference of such cases to the High Court of Bombay and in accordance with the decisions of that Court. The total area covered by the States, estates, talukas and thanas in Gujarat numbering 157 (or 289 if the units are subdivided according to the number of the share-holders) is nearly 19,800 square miles, with a population of about 27 lakhs and a total revenue of Rs. one crore and sixty-five lakhs. The administration of these States was taken over by the Bombay Government on 10th June, 1948.

78. The Dangs and certain estates formerly included in Vatrak Kantha Thana of the old Baroda Western and Gujarat States Agency,

which covered an area of 870 square miles with a population of 48,498, became part of the Bombay Province under the Governor-General's Order No. 127-P, dated 19th January, 1948.

MERGER OF OTHER SMALL STATES INTO PROVINCES.

79. The other States that have merged with the neighbouring Province are Loharu, Dujana and Pataudi, the Rulers of which signed on 17th February, 3rd March, and 18th March, 1948, respectively, agreements for merger of their States in the East Punjab. Similar agreements were signed by the Rulers of Banganapalle and Pudukkottai on 18th and 29th February, 1948, respectively, for their merger in the Madras Province.

CONSOLIDATION OF EAST PUNJAB HILL STATES INTO A CENTRALLY ADMINISTERED UNIT.

80. A number of Rulers and the Chiefs of the East Punjab Hill States signed on 8th March, 1948, agreements ceding to the Dominion Government full and exclusive authority, jurisdiction and power for and in relation to the governance of their States. Other Rulers signed similar agreements on subsequent dates. Having regard to the wishes of the Rulers and the people of the Hill States that the territories of these States should be consolidated into one unit and the desirability of making available to those areas man-power and wealth-power resources of a large administrative unit, the Government of India have integrated these States into a centrally-administered unit to be known as 'Himachal Pradesh'. The new Province, which comprises the territories of 21 Hill States with an area of 10,300 square miles, a population of about 9½ lakhs and a revenue of about 85 lakhs, came into being on 15th April, 1948. The East Punjab Hill States included the State of Bilaspur. In view, however, of the location in this State of the contemplated Bakhra Dam, which is a project of all-India importance, it has been decided to take over the State as a separate centrally-administered area. The agreement in this behalf is likely to be finalised in the near future.

MERGER OF KUTCH.

81. Another important State that has recently merged in the Dominion of India and is to be administered centrally under a Chief Commissioner is Kutch. This State has an area of 8,461 square miles with a population of a little over five lakhs and a total revenue of nearly Rs. 80 lakhs per annum. There were only two alternatives in regard to the future administration of Kutch, namely:—

- (a) integration of the State in the United State of Kathiawar; or
- (b) merger of the State in the Dominion of India.

Both these alternatives were carefully considered by the Government of India and it was decided to treat it at least for the time being as a centrally-administered unit. This area has vast potentialities, and its development will require considerable amount of money as well as technical assistance which the Kutch State by itself could not provide nor the newly formed State of Saurashtra at least for some time to come. An agreement was accordingly signed by the Ruler on 4th May, 1948, ceding to the Dominion Government full and exclusive authority, jurisdiction and power for and in relation to the governance of the State and providing for the transfer of the administration of the State on 1st of June, 1948.

FORMATION OF UNIONS.

82. The problem of the integration of the States, however, is not alike in all regions. There were several groups of States, which with due regard to the geographical, linguistic, social and cultural affinities of the people, could be consolidated into sizeable and viable units. In such cases, it has been the policy of the Government of India to extend their full support and co-operation to the Rulers concerned in uniting and integrating the territories of their States in reasonable administrative units on the basis of full transfer of power from the Rulers to the people.

THE UNITED STATE OF KATHIAWAR (SAURASHTRA).

83. This form of consolidation of small States was first adopted in regard to the Kathiawar States which comprised 217 States, and estates (449 units if calculated on the basis of further fragmentation according to the number of share-holders), with varying territories and jurisdictions. Many of these States had several scattered islands of territories and added together these States divided the map of Kathiawar into about 860 different areas. The scheme for the Union of Kathiawar States integrates all the Kathiawar States in a new State to be administered as a single block of territory. It provides for the complete transfer of power to the people of this region to be exercised by a Ministry responsible to a popular legislature. A special feature of the scheme is the provision for the Raj Pramukh who would be the constitutional head of the State and will be elected by the Council of Rulers. This arrangement, while ensuring close approximation of the system of governance in the States and the Provinces and of the rights and liberties of the people, retains in some measure the traditional polity of the States. An interim popular Ministry was set up in this region and a provision has been made for a Constituent Assembly to frame a constitution for the new State within the framework of the Covenant and the Constitution of India. It has not been possible so far to integrate the Junagadh State in the United State of Kathiawar. This State is at present being administered by the Central Government, but it is intended to integrate it into the United State of Saurashtra after ascertaining the wishes of the people.

84. The scheme for the constitution of the new Kathiawar State to be known as 'Saurashtra' was finalized in the last week of January, 1948. The Covenant (Appendix XII) was signed on 23rd January, 1948, and the new State came into being on 15th February, 1948, when it was inaugurated by the Hon'ble Sardar Patel. It covers an area of 31,885 square miles with a population of about 35,22,000 and a revenue of 8 crores.

OTHER UNIONS.

85. The United State of Kathiawar has provided the model for similar Unions of States in other regions, namely, the United States of (a) Matsya, (b) Vindhya Pradesh, (c) Rajasthan, and (d) Gwalior, Indore and Malwa, and (e) the Patiala and East Punjab States Union.

THE UNITED STATE OF MATSYA.

86. The United State of Matsya consists of the States of Alwar, Bharatpur, Dholpur, and Karauli. These States are all situated very near the Capital of India and any disturbances in these areas had repercussions in the contiguous districts of Gurgaon, Agra and Mutttra. This danger became apparent during the communal disturbances in 1947-48. With the integration of these four States into a unit which covers a territory of 7,536 square miles, with a population of 18,37,994 and a revenue of

its 1,83,06,221, it has been possible to set up a responsible Government in this State. The Rulers of these States signed the Covenant on 28th February, 1948 (Appendix XIII). The new State came into existence on 18th March, 1948.

THE UNITED STATE OF VINDHYA PRADESH.

87. The United State of Vindhya Pradesh comprises 35 Bundelkhan and Bagelkhand States. These States constitute a narrow corridor between the United Provinces and the Central Provinces. The area is rich in mineral resources and forest wealth, but constitutes one of the most undeveloped regions in Central India. This region is situated right in the Centre of the Indian Union and it is essential to set up a stable administration and to develop the means of communication in this area.

88. The Kathiawar model had to be modified in some respects to meet the special requirements of this region. Without the State of Rewa, this Union would not have been a viable one. The Ruler and the people of Rewa were willing to join the Union if certain concessions were made to ensure for the Rewa State and its Ruler a place commensurate with Rewa's importance. A provision has accordingly been made in the Covenant that in the Council of Rulers consisting of 19 members, while all the members will have one vote each, the Ruler of Rewa will have 15 votes for the purposes of elections of the President and the Vice-President. A further provision* has been made to the effect that if $\frac{4}{5}$ ths of the representatives of the Rewa State in the Constituent Assembly voted within one month from the date of the first meeting of the Constituent Assembly in favour of opting out of the Union, the Covenant in so far as it affected Rewa would not be operative.

89. The Covenant (Appendix XIV) was signed by the Rulers on 18th March, 1948, and the new State was inaugurated on 4th April 1948. The Union covers an area of 24,610 square miles, with a population of 35,69,455 and an annual revenue of about 2 $\frac{1}{2}$ crores.

THE UNITED STATE OF RAJASTHAN.

90. The Rajasthan Union was originally formed by the smaller Rajputana States in the south-east, namely, Banswara (including Kushalgarh), Bundi, Dungarpur, Jhalawar, Kishengarh, Kotah, Partabgarh, Shahpura and Tonk. These States formed a contiguous area with ethnical linguistic and cultural affinities. The integration of these States in the contemplated United State of Malwa was also considered, but it was found that the natural affinity of these States was more with Rajputana than with Malwa. The territories of these nine States were accordingly united together to form the United State of Rajasthan with an area of 16,807 square miles, a population of 28,34,220 and an average annual revenue of Rs. 1,91,89,000.

91. It was provided in the Covenant signed by the Rulers of these States that the Rulers of Kotah, Bundi and Dungarpur should be deemed to have been elected as the first President, senior Vice-President and junior Vice-President respectively and that the administrations of their States should be made over to the Raj Pramukh between 25th March and 15th April, 1948. The United State of Rajasthan as thus constituted was inaugurated on 25th March, 1948.

92. Subsequently, intimation was received that the Ruler of Udaipur was willing to join the Rajasthan Union if he and his State were ensured their legitimate position in the Union. Having regard to the facts that

*This provision has since been deleted by a supplementary Covenant signed by the Rulers concerned on June 4, 1948.

the Udaipur State was entitled to stand by itself and that the resources of the State would greatly add to the strength of the Union, it was decided to modify the Covenant in the following important respects:—

- (a) The Maharana of Udaipur will be the Raj Pramukh during his life-time.
- (b) The Maharao of Kotah will be the senior Up Raj Pramukh.
- (c) The Maharana of Udaipur's privy purse has been fixed at Rs. 10 lakhs. He will in addition receive a sum of Rs. 5 lakhs per year as consolidated allowance as Raj Pramukh. A further sum of Rs. 5 lakhs per annum will be paid to him out of the revenue of the United State for charitable and religious purposes.

All the Rulers concerned signed the Covenant (Appendix XV) and the re-constituted Rajasthan Union was inaugurated by the Hon'ble Pandit Jawaharlal Nehru on 18th April, 1948.

THE UNITED STATE OF GWALIOR, INDORE AND MALWA

93. The United State of Gwalior, Indore and Malwa (Madhya Bharat) constitutes the largest of the Unions of States so far formed. It comprises 20 States in Central India including the major States of Gwalior and Indore. These States consist of blocks of territory separated by intervening portions of other States. Linguistically, culturally, historically and economically the region forms a compact block. The position of the two major States of Gwalior and Indore which, according to the Government of India's declared policy relating to viable units, were entitled to stand by themselves, rendered the problem of the integration of these States into one Union difficult. During the course of discussions it was found that there was a body of local opinion both at Gwalior and Indore opposed to the formation of one Union in which the identity of Gwalior and Indore would be completely merged. It was, therefore, suggested as a possible alternative to the single Union scheme that two unions might be formed, one around Gwalior and the other around Indore. After giving the proposal due consideration, the Government of India felt that from the point of view of geographical integrity as well as administrative efficiency, the balance of arguments as well as advantage was in favour of the immediate formation of one Union rather than two.

94. A conference of the Rulers of Central India was accordingly held in Delhi on 20th, 21st and 22nd of April, 1948, and as a result of these discussions agreement was arrived at for the formation of one Union to be known as the United State of Gwalior, Indore and Malwa (Madhya Bharat). The following are some of the distinctive features of this scheme, which have been provided to meet the special requirements of the two major States:—

- (i) For the purposes of the election of the Raj Pramukh every Ruler will have such number of votes as is equal to the number of lakhs in the population of his State.
- (ii) The Rulers of Gwalior and Indore will be the Raj Pramukh and the senior Up Raj Pramukh respectively during their life-time.
- (iii) The senior Up Raj Pramukh will also receive an appropriate allowance.
- (iv) The privy purse of the Rulers of Gwalior and Indore has been fixed for the life-time of the present Rulers at a figure higher than the maximum fixed in other cases.

(v) In Central India there are a number of States whose population is predominantly Bhil. The Bhils are extremely backward tribes and it was realised that it would be inexpedient to entrust them to the care of the new Government. It has, therefore, been decided to treat those States where more than 50% population is of Bhils as scheduled areas and to confer the authority to make laws for peace and good Government of these areas on the Raj Pramukh, subject to any directions or instructions that may from time to time be given by the Government of India.

(vi) It has been provided that until other provision is made by an act of the legislature of the United State, the right to resume Jagirs and to recognise the succession to the rights and titles of the jagirdars will vest in the Raj Pramukh.

(vii) The Rulers of Gwalior and Indore have been allowed to exercise their present powers of suspension, remission or commutation of death sentences in respect of any person sentenced to death for a capital offence committed within the territories of their respective States.

The Covenant (Appendix XVI) was signed by the Rulers present at the Conference on the 22nd April, 1948. The Rulers of the covenanting States are required by the Covenant to make over the administration of their States to the Raj Pramukh on or before the 1st day of July, 1948. The new State was inaugurated on 28th May 1948, by the Hon'ble Pandit Jawaharlal Nehru. It will comprise an area of 46,273 square miles with a population of over 71 lakhs and a revenue of about eight crores.

PATIALA AND EAST PUNJAB STATES UNION.

95. The latest Union of States that has been decided upon is the one to be formed by the States in the East Punjab. The Covenant (Appendix XVII) for the formation of this Union was signed by the Rulers of the six salute States of Patiala, Kapurthala, Jind, Nabha, Faridkot, Malerkotla and the two non-salute States of Nalagarh and Kalsia on 5th May, 1948.

96. These States lie in three separate blocks. The main block comprises the territories of the Patiala, Nabha, Jind, Malerkotla and Faridkot States in the heart of the East Punjab. It forms a fairly compact tract. The Kapurthala State consists of three enclaves in the Jullundur Division of the East Punjab. The outlying districts of Narnaul, Dadri and Bawali, which form parts of the Patiala, Jind and Nabha States respectively lie within the geographical orbit of the southern districts of the East Punjab.

97. In view of the fact that the Patiala State, which has a population of about two million, had been recognised as a separate viable unit, it was contemplated at earlier stages to form a Union of the East Punjab States without Patiala. These States comprised an area of 3,693 square miles with a population of 13,67,628 and an annual revenue of about two crores. It was, however, realised that a Union of the East Punjab plain States without Patiala would not endure. Apart from their limited resources, the territories of these States are separated by intervening portions of the East Punjab and the Patiala State and in certain cases form islands separated from the main block of the States. From the point of view of territorial integrity, administrative efficiency and tapping of agricultural and other resources of these States, the formation of one Union inclusive of Patiala was clearly indicated. The Ruler of Patiala expressed willingness to join the Union provided the Patiala State and its Ruler were given a position in the Union commensurate with their relative importance. As a

result of the adjustments made to reconcile the various points of view the following provisions have been made in the Covenant:—

(i) The present Rulers of Patiala and Kapurthala will respectively be the first Raj Pramukh and Up Raj Pramukh and will hold office during their life-time.

As in the case of the United State of Gwalior, Indore and Malwa, the Rulers of this Union will have for the purposes of election of the Raj Pramukh such number of votes as is equal to the number of lakhs in the population of their States. The Ruler of Patiala will not exercise his vote in the election of the Up Raj Pramukh.

(ii) The Union will be tentatively called Patiala and East Punjab States Union till the Constituent Assembly of the Union adopts a suitable name for it.

(iii) The two non-salute States of Nalagarh and Kalsia will alternately hold one seat on the Council of Rulers.

The inauguration of the Union has been fixed to take place on 15th July, 1948, and it is expected that all the covenanting States will have transferred their administrations to the Raj Pramukh by 20th of August, 1948. The new State will comprise an area of 10,119 square miles with a population of 34,24,060 and a revenue of about five crores.

EXECUTION OF FRESH INSTRUMENTS OF ACCESSION ON BEHALF OF THE UNIONS.

98. An important development that has followed the formation of these Unions is the decision that has been taken recently for the execution of fresh Instruments of Accession on behalf of the Unions. The individual States joining these Unions had acceded to the Indian Dominion in respect of three subjects only, namely, Defence, External Affairs and Communications. The Government of India considered it desirable that the content of the accession of the States should be extended to enable them to be fitted into the new constitutional structure of India. Accordingly, a permissive provision was made in the Covenant of the Rajasthan Union for approximating the Dominion's legislative jurisdiction over the Union to the Provincial level. In the Covenants for the formation of the United State of Madhya Bharat and the Patiala and East Punjab States Union this provision was made mandatory. With a view to securing the concurrence of the Governments of other Unions to the extension of similar legislative authority of the Dominion over these Unions, a meeting of the Raj Pramukhs and Ministers of the United States of Kathiawar, Rajasthan, Vindhya Pradesh and Matsya was called on 6th May, 1948. As a result of these discussions it was decided that the Raj Pramukhs of all the Unions should execute fresh Instruments of Accession (Appendix XVIII) in accordance with the provisions of Section 6 of the Government of India Act, 1935, accepting as matters with respect to which the Dominion Legislature may make laws for the various Unions, all entries in List I and List III of the Seventh Schedule to the Act except those relating to taxation. The execution of the new Instruments by the Raj Pramukhs will ensure constitutional uniformity between the various Unions and the Provinces composing the Indian Dominion in so far as the Central Legislative authority is concerned except in respect of the taxing powers of the Centre.

MERGER OF REMAINING SMALL STATES.

99. There are still some small States left, which have not been affected by any merger or integration schemes. It is the intention of the Government of India to integrate them in such manner as may be found appropriate with due regard to their geographical contiguity and linguistic, administrative, cultural and economic considerations.

BENEFITS OF ADMINISTRATIVE INTEGRATION.

100. The benefits that the people of the small States will derive from the administrative integration of such States either in the form of their merger into larger units or consolidation into sizeable units, are manifold. The slenderness of the resources of small units, hardly larger than estates but enjoying varying degrees of sovereignty, and their general aversion to neighbourly co-operation, put it beyond the powers of their Rulers to give their subjects the advantages of good government. Existence of a large number of small units led to unnecessary multiplication of governing agencies which necessitated the maintenance of numerous ornamental and dignified institutions. These States could never provide efficient services or maintain anything like modern standards of administration; continuance of separate governmental institutions in such States led only to the dissipation of national wealth. The integration of these units will enable them to pool their resources for the provision of adequate administrative services over reasonable groups or tracts for the general benefit of the people. It will also make it possible to provide adequate social services and modern amenities to the people of these States, which were beyond their resources as separate small units.

101. Because of the inadequacy of resources and the jurisdictional changes, communications in most of the small States have been in a very primitive condition. The internal trade was rendered difficult by the export, import, and other duties which the various States levied. The administration of justice and maintenance of law and order were greatly handicapped because of the administrative and political fragmentation resulting from the existence of a large number of small States. Each of these States had its own laws and taxation structure, and the bewildering multiplicity of their revenue and other systems ruled out any kind of constitutional and administrative uniformity. These conditions encouraged extensive smuggling, black-marketing, crime and other anti-social activities. In such a set-up any kind of co-ordinated development, opening up of economic potentialities or any form of real progress was hardly possible. The administrative integration of a large number of small units has solved all these perplexing political and administrative problems. Thus for instance, the formation of the United State of Saurashtra alone has swept away a whole net-work of customs barriers and has facilitated the negotiation of an agreement between the Government of India and the Saurashtra Government providing for the assumption by the Government of India of full control over the customs arrangements at the Kathiawar ports. In the new set-up there should be no room for any feudal practices, special privileges of classes; immunities from taxation; judicial and quasi-judicial privileges; trade monopolies; and other iniquities. The people of these areas can now look forward to the firm and stable institutions in which they will secure good Government, adequate administrative and social services and enjoy full opportunities for progress and development.

THE TASK BEFORE THE GOVERNMENTS OF THE NEW UNIONS.

102. The heavy responsibility of justifying the hopes implicit in integration rests mainly on the Governments of the new Unions. It is for them to follow up the inauguration of the new constitutional set-up by a programme for the amelioration of the lot of the people and a system of good and sound administration. A common Government fully representative of the people of all the integrated States and earnestly endeavouring to reflect in its activity the wishes and sentiments of the people should operate as a powerful unifying and integrating force. Administrative integration of the States will fail to secure

its objective if it does not bring about a psychological integration of the people. Local affiliations of the people, which impede the growth of common nationhood, will be eliminated only if they are enabled to feel that by becoming citizens of bigger, more progressive and resourceful units a real change for the better has come into their lives. The people must feel that not only power has come to their hands, but the very set-up of their lives has undergone an appreciable change.

APPOINTMENT OF ADVISERS.

103. The old order in the States is changing, the new will take some time to grow. The public services in some of the States may prove unable to bear the strain of modern administration. The popular Ministers untrained in administrative work may find it difficult to cope unaided with their onerous responsibilities. The Government of India have been keenly alive to the fact that if the new States are to play their legitimate rôle in building up a new order in the country, the services of experienced administrators and experts should be made available to them to set the tone for the administration. The task of creating new integrated administrative machinery in the Unions, which in the absence of past practice and conventions will continue for some time to be one of immense difficulty, is engaging the Government of India's close and careful attention. The Government of India will watch carefully the progress of the Union States and extend to their Governments all possible assistance and help such as providing during the formative stage of the new States the necessary administrative talent in the form of Advisers and other expert officers.

POLICY TOWARDS MAJOR STATES.

104. There would still remain a number of major States unaffected by movement for merger or union. The policy of the Government of India in respect of them is contained in the following extract from a statement made on behalf of the Government of India in the Parliament on 15th March, 1948:—

"The States which have individual representation on the Constituent Assembly have been assured by the Government of India from time to time that they will be treated as separate viable units. In regard to them, the Government of India's policy is clear and unequivocal. There is no desire on our part, in any way, to compel or coerce them into merger or integration. If they wish to remain as separate autonomous units, we would have no objection, but if Rulers and the people of any of these States desire to merge with the neighbouring Province or form a union with the neighbouring States on a voluntary basis, obviously the Government of India cannot say 'No'. It is in this context that proposals for the formation of Malwa and Bundelkhand Units which involve States like Gwalior, Indore and Rewa should be judged. It is clear, however, that in these States, which remain separate units, there would be continuous popular pressure for the grant of full responsible government. I hope the Rulers of these States will appreciate the necessity of retaining the affection and goodwill of their subjects by timely concessions rather than futile resistance to popular demands. I hope this clear enunciation of our policy regarding larger States will satisfy any misgivings that might have been created in the minds of Rulers of these States by the proposed inclusion of Gwalior and Indore in Malwa."

Unit and the inclusion of Alwar in the recently created Matsya State and of Rewa in the Bundelkhand and Baghalkhand Union. I am sure they will realise that whatever I have stated indicates no change in the policy of the Government of India in regard to the major States and the specific inclusion of these States in our draft Constitution would convince them further of our *bona fides*. Our policy in regard to them remains, as I have stated earlier, their continued autonomous existence unless both the Rulers and the people desire otherwise".

FOUR-FOLD DISPENSATION.

105. It will be seen from the above that the following three different processes have been promoted and recognised by the Government of India in relation to the integration of States, each being applied according to size, geography and other factors relating to each State or group of States:

106. The first is the merger of the States in the adjacent Provinces. Under this process 219 States with a total area of 84,774 square miles, population of 120·18 lakhs and revenue of 541·84 lakhs have merged in the Provinces distributed as under:—

Province.	Number of States merged.	Area in sq. miles.	Population in lakhs.	Revenue in lakhs.
Orissa	23	23,637	40·46	98·74
C. P. and Berar	15	31,719	28·34	88·31
Bihar	2	623	2·08	6·45
Madras	2	1,414	4·83	30·81
East Punjab	3	370	·80	10·38
Bombay	174	26,951	43·67	307·15
Total ...	219	84,774	120·18	541·84

107. The second is the consolidation of States into centrally-administered areas. This process has so far affected 22 States consolidated into the following two units covering a total area of 19,061 square miles with a population of 14·37 lakhs and a revenue of about 165 lakhs:—

Name of new area.	Number of States merged.	Area in sq. miles.	Population in lakhs.	Revenue in lakhs.
Himachal Pradesh	21	10,600	9·36	84·56
Kutch	1	8,461	5·01	80·00
TOTAL ...	22	19,061	14·37	165

108. The third is the integration of the territories of States to create new viable units. This process has so far covered a total area of 150,400 square miles with a population of 287·64 lakhs and a revenue of 2,819·45 lakhs distributed over the States of Saurashtra, Matsya, Vindhya Pradesh,

Rajasthan, Madhya Bharat and the Patiala and East Punjab States Union as under:—

State.	Number of States merged.	Area in sq. miles.	Population in lakhs.	Revenue in lakhs.
Saurashtra	... 217	31,885	35·22	800·00
Matsya	... 4	7,536	18·38	188·06
Vindhya Pradesh	... 35	24,610	35·69	243·30
Rajasthan	... 10	29,977	42·61	316·67
Madhya Bharat	... 20	46,273	71·50	776·42
Patiala and East Punjab States Union.	8	10,119	34·24	500·00
Total	294	150,400	237·64	2,819·45

109. The States recognised as viable units and continuing as separate entities constitute a separate group.*

ESSENTIAL COMMON FACTOR OF DEMOCRATIZATION

110. There is, however, one essential condition which the Government of India have attached to all schemes recognised by them relating to the future set-up of the States, namely, transfer of full power from the rulers to the people. They have firmly declined to be a party to any arrangements relating to the States unless they expressly provided for the establishment of responsible Government.

111. So far as the first two processes, namely, merger of the States in the Provinces or assumption of their administration by the Central Government, are concerned, transfer of power to the people is automatic in that the merging States become parts of administrative units which are governed by the popular Governments of the Provinces or the Centre. Till such time as these areas return their quota of members to the legislature concerned measures have been adopted to devise the association of the people of the States concerned with the Provincial administrations. As regards the third process, all the Covenants governing the constitution of the newly-created States expressly provide for full transfer of power to the people. Constitutions for these States are to be framed by popular Constituent Assemblies and till the new constitutions become operative, popular interim Ministries are to conduct the administration.

112. As for the larger States unaffected by the movement for merger or union, movements for full responsible Government have rapidly developed in them, and with the exception of the Hyderabad State, practically all of these States have either transferred power to the people or have made announcement for establishing full responsible Governments in the near future. The people of the major States in the south, namely, Cochin, Travancore and Mysore, were the first to see the fruition of their efforts and to have popular Governments installed.

*A consolidated statement showing the area, population and revenue of States that have been either (a) merged into Provinces, or (b) consolidated into centrally-administered areas, or, (c) combined to form new Unions, is appended (Appendix XIX). The appendix also shows the area and population of (a) States recognised as viable units, and (b) non-viable States not yet affected by any merger or integration schemes.

Interim popular Ministries have been set up in the States of Mayurbhanj, Jodhpur, Jaipur and Baroda. In Kashmir the popular leader, Sheikh Abdullah, has been installed as the head of the first popular Government. Interim Ministries have also been formed in Bhopal and Bikaner. In the States in which there has so far been no agreement between the Ruler and the leaders of public opinion, the differences do not relate to the objective of reforms, which is almost unanimously accepted as full responsible Government, but to the time-schedule and details, etc. It is obvious that it will be both unwise and futile on the part of the Rulers to withhold power from the people or to delay handing over responsibility to them. There is no reason to believe that the Rulers concerned will be lacking in the spirit of public service and in response to popular demands which members of their Order have shown elsewhere.

RETROSPECT AND PROSPECT.

113. The policy of the Government of India towards Indian States has been governed by the objective which they, as the first popular Government of the country, set before themselves, namely, the integration of all elements in this country in a free, united and democratic India. This objective could be attained only by a vigorous policy of integration and democratization of the States. That process has now nearly reached completion. In a remarkably short period it has revolutionized the inner and external set-up of the States. The process of the integration of the States into viable and sizeable units started with the elimination of the chain of small States that severed the Provinces of Orissa and Bihar from the Central Provinces; it solved the cross-jurisdictional puzzle of the vast assemblage of the States of Kathiawar and how far it has simplified the problem of the States would be evident from the fact that as against 600 or so of the units known as States which existed about the middle of December, 1947, within a period of a month or two, the number of the States is likely to be even less than 1/25th of the original figure.*

114. Even more significant than the geographical changes that this bloodless revolution has brought about, has been the complete transformation of the inner set-up of the States. When the paramountcy of the British Crown lapsed there were only a few States which had representative institutions; most of these were inchoate and illusory and had hardly gone beyond the Provincial legislatures under the Montagu-Chelmsford Reforms. During recent months, however, practically every State has announced its intention to grant full responsible Government and in a vast majority of them power has already been transferred to the people.

115. The consummation of the new set-up of the Indian States has involved protracted negotiations, perseverance and hard labour. The results that have been achieved will leave an imprint on India's history. But for the patriotic co-operation of the Princes the tremendous change that has come over India for the mutual benefit of the people and the Rulers could not have been possible. By their ready appreciation of the aspirations of the people, they made integration of States in larger units, and transfer of power to the people, smooth and peaceful. They may well claim to be co-architects in building a free and democratic India in which the people of the Provinces and the people of the States will enjoy alike the full measure of freedom and march together as citizens of free India.

*A map of India showing the progress of political changes in relation to States is appended (Appendix XX).

For Appendix I see at the end of the Pamphlet

APPENDIX II.

Statement showing area and population of Indian States.

Serial No.	Name of State.					Area in sq. miles.	Total population.
ASSAM STATES.							
1. Manipur	8,620	512,069
Khasi Hill States.							
2. Bhawal	3,788	213,586
3. Cherra	Not available	...
4. Khyrim	"	...
5. Langrin	"	...
6. Maharam	"	...
7. Malaisohmat	Figures of area and popula-	
8. Mawiang	tion for individual States	
9. Masyram	are not available. Totals	
10. Mariaw	for the whole group are	
11. Mylliem	given above.	
12. Nobosohphoh		
13. Nongkhlaw		
14. Nongspung		
15. Nongstoin		
16. Rambrni		
BALUCHISTAN STATES.							
17. Kalat...	53,995	253,305
18. Las Bela	7,043	69,067
19. Kharan	18,508	33,832
BARODA AND GUJERAT STATES.							
20. Baroda	8,235	2,855,010
21. Balasinor	195	61,151
22. Bansda	212	54,735
23. Baria	810	189,062
24. Cambay	392	96,592
25. Chhotu Udaipur	894	162,177
26. Dharempur	719	123,326
27. Jawahar	308	65,126
28. Lunawada	419	105,318
29. Rajpipla	1,515	249,032
30. Sachin	49	26,231
31. Surgana	131	18,292
32. Sant	390	94,257
DANGS							
33. Amala	119.77	
34. Avchar	7.89	
35. Bilbari	1.65	
36. Chinchli Gaded	27.23	
37. Derbhavti	76.25	
38. Gadi	170.82	
39. Jhari Ghar-Khadli	8.17	
40. Kirli	21	
41. Palasvihir	2.02	
42. Pimpri	72.94	
43. Pimplesdevi	3.44	
44. Shirbara	4.99	
45. Vadhyawan	4.90	
46. Vasurna	132.14	

Figures not available.

Serial No.	Name of State.			Area in sq. miles.	Total population.
SANKHEDA MEWAS					
47.	Alwa	...	...	...	5
48.	Bhilodia	...	...	...	9
49.	Bihora	...	...	...	1.75
50.	Chorangla	...	...	...	16
51.	Chudesar	...	...	...	2.50
52.	Dhamasia <i>alias</i> Vanmala	...	...	...	10.50
53.	Dudhpur	...	...	...	1.75
54.	Jiral Kamsoli	...	...	...	5.5
55.	Nalia	...	...	...	1
56.	Nangam	...	...	...	3
57.	Pan Talevadi	...	...	...	5
58.	Rampura	...	...	...	4.50
59.	Rengan	...	...	...	4
60.	Sindhiaura	...	...	...	4
61.	Vasvan Sevada	...	...	...	12.50
62.	Vasvan Virpur	...	...	...	12.50
63.	Virampura	...	...	...	1
64.	Vora	...	...	...	5
REST OF AGENCY					
65.	Agar	...	...	...	17
66.	Amarapur	...	...	...	2
67.	Anghad	...	...	...	4.25
68.	Bhadarwa	...	...	...	27
69.	Chhaliar	...	...	...	11
70.	Dhari	...	...	...	3.75
71.	Dodka	...	...	...	3
72.	Gad-Boriad	...	...	...	128
73.	Gotardi	...	...	...	3
74.	Gothda	...	...	...	4
75.	Itwad	...	...	...	6
76.	Jambughoda	...	...	...	148
77.	Jesar	...	...	...	1.6
78.	Kadana	...	...	...	132
79.	Kandwa	...	...	...	3.75
80.	Kasla Paginu Muwada	...	...	...	1
81.	Mandwa	...	...	...	16.50
82.	Mevli	...	...	...	5
83.	Moka Paginu Muwada	...	...	...	1
84.	Nahara	...	...	...	13.00
85.	Naswadi	...	...	...	19.50
86.	Palasni	...	...	...	12
87.	Pandu	...	...	...	9
88.	Poicha	...	...	...	3.75
89.	Raika	...	...	...	3.00
90.	Sanjeli	...	...	...	34
91.	Shanor	...	...	...	11.25
92.	Sihora	...	...	...	15.50
93.	Uchad	...	...	...	8.50
94.	Umata	...	...	...	21
95.	Vajiria	...	...	...	21
96.	Vakhtapur	...	...	...	1.50
97.	Varnolmal	...	...	...	3.5
98.	Varnol Moti	...	...	...	2
99.	Varnol Nani	...	...	...	1
100.	Jumkha	...	...	...	1
101.	Pethapur	...	...	...	1
102.	Rajpur	...	...	...	1.50
103.	BHUTAN	...	...	...	18,000
					300,000

Figures not available.

Serial No.	Name of States.			Area in sq. miles.	Population.
CENTRAL INDIA STATES BHOPAL AGENCY.					
103.	Bhopal	...	...	...	10,088 785,322
105	Dewas (Senior)	...	...	...	449 89,352
106.	Dewas (Junior)	...	...	...	419 83,669
107.	Khilchipur	...	...	...	274 48,642
108.	Kurwai	...	...	...	142 29,541
109.	Makrai	...	...	...	151 14,357
110.	Muhammadgarh	...	...	...	45 2,888
111.	Narsingarh	...	...	...	731 125,178
112.	Pathari	...	...	...	90 4,171
113.	Rajgarh	...	...	...	926 148,609
BUNDHESLKHAND AGENCY					
114.	Ajaigarh	...	...	...	788 96,506
115	Alipura	...	...	...	78 17,735
116.	Banka Pahari	...	...	...	5 1,241
117.	Baoni (Kadaura)	...	...	...	122 26,256
118.	Baraundha (Patharkachhar)	...	...	...	228 17,806
119.	Beri	...	...	...	32 5,092
120.	Bhaisaunda	...	...	...	32 5,147
121.	Bihat	...	...	...	16 4,365
122.	Bijawar	...	...	...	980 120,990
123.	Bijnar...	...	...	...	7 1,742
124.	Charkhari	...	...	...	785 123,594
125.	Chhatarpur	...	...	...	1,170 184,720
126.	Datia...	...	...	...	846 174,072
127.	Dhurwai	...	...	...	12 2,423
128.	Garrauli	...	...	...	39 5,827
129.	Gaurihar	...	...	...	72 10,481
130.	Jaso	...	...	...	72 8,727
131.	Jigni	...	...	...	22 4,745
132.	Kamta Itajaula	...	...	...	13 1,411
133.	Kothi	...	...	...	166 24,776
134.	Lugasi	...	...	...	45 7,752
135.	Mailhar	...	...	...	412 70,558
136.	Nagod (Unchehra)	...	...	...	532 87,911
137.	Naigawan Reabai	...	...	...	12 2,588
138.	Orchha (Tikamgarh)	...	...	...	1,999 363,405
139.	Pahra (Chaubepur)	...	...	...	27 4,062
140.	Paldeo (Nayagaon)	...	...	...	52 9,820
141.	Panna	...	...	...	2,580 231,170
142.	Samthar	...	...	...	189 38,279
143.	Sarila	...	...	...	35 7,250
144.	Sohawal	...	...	...	261 50,435
145.	Taraon (Pathraundi)	...	...	...	26 3,841
146.	Tori-Fatehpur	...	...	...	27 6,268

Serial No.	Name of States.				Area in sq. miles.	Population.
INDORE AGENCY.						
147. Indore	9,934	1,513,966
148. Rewa	12,830	1,820,145
MALWA AGENCY.						
149. Alirajpur	849	112,754
150. Barwani	1,189	176,666
151. Dhar	1,798	253,310
152. Jaora	601	16,953
153. Jobat	131	20,445
154. Jhabua	1,265	178,927
155. Kathiawara	68	6,689
156. Mathwar	138	3,889
157. Piploda	66	11,578
158. Ratlam	687	126,177
159. Ratamnmal	32	2,624
160. Sailana	300	10,228
161. Sutlujau	191	33,441
EASTERN STATES						
BENGAL STATES AGENCY.						
162. Cooch-Behar	1,318	610,645
163. Tripura	4,116	512,010
164. Mayurbhanj	4,034	900,077
ORHATISGARH STATES AGENCY.						
165. Chhangbhakar	890	21,266
166. Bastar	13,701	633,883
167. Chhuikhadan	153	32,731
168. Jashpur	1,955	223,612
169. Kalahandi (Karondi)	3,559	597,940
170. Kanker	1,413	149,471
171. Kawardha	794	77,284
172. Khairagarh	931	173,713
173. Korea	1,647	126,874
174. Nandgaon	872	202,973
175. Patna...	2,530	632,920
176. Raigarh	1,444	312,643
177. Sakti	137	54,517
178. Sarangarh	540	140,785
179. Surguja	6,067	551,752
180. Udaipur	1,045	118,331

Serial No.	Name of States.					Area in sq. miles.	Population.
ORISSA STATES AGENCY.							
181. Athgarh	163	55,498
182. Athmallik	723	72,765
183. Bamra	1,974	178,277
184. Baramba	143	52,924
185. Baudh	1,156	146,175
186. Bouai	1,280	92,538
187. Daspalle	556	53,833
188. Dhenkanal	1,428	324,212
189. Gangpur	2,477	388,171
190. Hindol	291	58,505
191. Keonjhar	3,206	529,786
192. Khandpara	229	87,341
193. Kharawan	157	50,587
194. Narsinghpur	201	18,114
195. Nayagarh	562	161,403
196. Nilgiri	263	78,109
197. Pal-Lahara	450	90,100
198. Rairakhol	857	38,183
199. Ranpur	201	51,366
200. Seraikella	166	154,814
201. Talchar	388	86,132
202. Sonepur	948	214,873
203. Tigris	46	26,331
GWALIOR RESIDENCY.							
204. Gwalior	26,008	4,006,159
205. Khamiadhana	101	20,124
206. Benares	866	451,428
207. Rampur	894	477,042
HYDERABAD RESIDENCY.							
208. Hyderabad	82,313	16,938,534
KASHMIR RESIDENCY.							
209. Kashmir and Jammu	82,258	4,021,616
210. Hunza	6,848	...
211. Nagir	1,215	...
KOLHAPUR RESIDENCY AND DECCAN STATES AGENCY.							
212. Kolhapur	3,219	1,092,046
213. Akalkot	473	103,903
214. Aundh	488	88,723
215. Bhor	910	155,901
216. Jamkhandi	522	126,272
217. Janjira	326	103,557
218. Jath	972	107,036
219. Kurundwad (Senior)	220	52,552

Serial No.	Name of States.			Area in Sq miles.	Population.
KOLHAPUR RESIDENCY AND DECCAN STATES AGENCY.—Contd.					
220.	Kurundwad (Senior)	...	...	196	46,609
221.	Miraj (Junior)	...	...	368	108,547
222.	Miraj (Junior)	...	...	194	46,295
223.	Mudhol	...	...	350	72,447
224.	Phaltan	...	...	391	71,473
225.	Ramdung	...	...	166	40,114
226.	Sangli	...	...	1,146	203,381
227.	Savanur	...	...	70	22,440
228.	Sawantwadi	...	...	937	232,060
229.	Wadi Jagir	...	...	12	2,022
MADRAS STATES AGENCY.					
230.	Cochin	...	...	1,493	1,422,875
231.	Fudukottai	...	...	1,185	4,38,348
232.	Travancore	...	...	7,662	6,070,018
MYSORE AGENCY.					
233.	Banganapalle	...	...	269	44,592
234.	Mysore	...	...	29,458	7,329,140
235.	Sandur	...	...	158	15,814
NORTH-WEST FRONTIER.					
236.	Amb	...	...	174	47,916
237.	Chitral	...	...	4,000	1,07,906
238.	Dir	...	...	3,000	34,623
239.	Swat	...	...	1,800	4,46,014
240.	Phulra	...	...	36	8,739
PUNJAB STATES AGENCY.					
241.	Bahawalpur	...	...	17,494	1,341,209
242.	Chamba	...	...	3,127	168,908
243.	Dujana	...	...	91	30,666
244.	Faridkot	...	...	637	199,263
245.	Jind	...	...	1,209	361,812
246.	Kapurthala	...	...	645	378,380
247.	Khairpur	...	...	6,050	305,787
248.	Loharu	...	...	226	27,892
249.	Malerkotla	...	...	165	88,109
250.	Mandi	...	...	1,139	282,593
251.	Nabha	...	...	947	340,044
252.	Pataudi	...	...	153	21,520
253.	Patiala	...	...	5,942	1,936,259
254.	Suket	...	...	392	71,092
PUNJAB HILL STATES.					
255.	Bhagat	...	...	33	11,022
256.	Baghal	...	...	120	27,529
257.	Balsan	...	...	57	6,649
		...	...	3,623	1,16,305

Serial No.	Name of States.	Area in sq. miles.	Population.
FEUDATORIES.			
(a) Khaneti	21 } Figures for population of individual States
(b) Delath	8 } not available.
259. Bhaaji	94 16,474
260. Bija	5 1,058
261. Bilaspur	453 110,335
262. Darkoti	5 632
263. Dhami	28 5,114
264. Jubbal	274 29,802
FEUDATORIES.			
(a) Rawingarh	16 } Figures for population of individual States
(b) Dhadi	7 } not available.
265. Kalsia	188 67,393
266. Keonthal	186 51,645
FEUDATORIES.			
(a) Koti	44 } Figures for population of individual States
(b) Theog	31 } not available.
(c) Madhan	23 } Totals for the
(d) Ghund	9 whole group is
(e) Ratish	2 given above.
267. Kumharsain	84 18,983
268. Kunihar	7 2,309
269. Kuthar	21 4,974
270. Mahlog	49 8,631
271. Mangal	14 1,325
272. Nalagurh (Hindur)	276 52,780
273. Sangri	21 3,839
274. Sirmur (Nahan)	1,091 156,026
275. Tehri-Garhwal	4,516 397,369
276. Tharoch	70 5,363
RAJPUTANA AGENCY.			
277. Bikaner	...	23,181	1,292,938
EASTERN RAJPUTANA STATES AGENCY.			
278. Bharatpur	...	1,978	575,423
279. Bundi	...	2,205	249,374
280. Dholpur	...	1,173	286,901
281. Jhalawar	...	824	122,299
282. Karauli	...	1,227	152,413
283. Kotah	...	5,714	777,398
RAJPUTANA-JAIPUR RESIDENCY.			
284. Alwar	...	3,158	823,055
285. Jaipur	...	15,610	3,040,876
286. Kishengarh	...	837	104,127
287. Lawa	...	20	2,808
288. Shahpura	...	405	61,173
289. Tonk	...	2,543	353,687

Serial No.	Name of States.					Area in sq. miles.	Population
MEWAR & SOUTHERN RAJPUTANA STATES AGENCY.							
290.	Banswara	...	...	...	...	1,606	258,760
291.	Dungarpur	...	...	...	...	1,460	274,282
292.	Kushalgarh	...	...	...	...	340	41,153
293.	Partabgarh	...	...	...	...	873	91,907
294.	Udaipur (Mewar)	...	...	...	...	18,170	1,926,698
WESTERN RAJPUTANA STATES AGENCY.							
295.	Danta	...	...	...	...	1,606	31,110
296.	Jaisalmer	...	...	...	...	15,980	93,246
297.	Jodhpur	...	...	...	...	36,120	2,555,901
298.	Palanpur	...	...	...	...	1,791	315,853
299.	Sirohi	...	...	...	...	1,988	233,879
300.	Sikkiim	...	...	...	...	2,818	121,520
WESTERN INDIA STATES.							
301.	Ibhavnagar	...	...	...	...	2,961	618,420
2	Kutch	...	...	...	...	8,461	500,800
303.	Dhrangadhra	...	...	...	...	1,167	94,417
304.	Dhrol	...	...	...	...	283	33,617
305.	Gondal	...	...	...	...	1,024	241,514
306.	Idar	...	...	...	...	1,668	307,798
307.	Jafrabad (Janjira)	...	...	...	...	53	18,837
308.	Junagadh	...	...	...	...	3,337	670,719
309.	Limbdi	...	...	...	...	344	44,024
310.	Morvi	...	...	...	...	822	141,761
311.	Nawanagar	...	...	...	...	3,791	504,006
312.	Palitana	...	...	...	...	300	76,432
313.	Radhanpur	...	...	...	...	1,150	67,691
314.	Porbandar	...	...	...	...	642	146,648
315.	Rajot	...	...	...	...	282	102,951
316.	Vijaynagar	...	...	...	...	185	13,042
317.	Wadhwani	...	...	...	...	242	50,915
318.	Wankaner	...	...	...	...	417	54,965
WESTERN KATHIAWAR AGENCY.							
319.	Bilkha	...	...	...	...	135	31,790
320.	Jasdan	...	...	...	...	296	37,679
321.	Jetpur	...	...	...	...	120	85,145
322.	Kotda Sangani	...	...	...	...	90	12,160
323.	Khirasara	...	...	...	...	47	5,893
324.	Malia	...	...	...	...	103	10,788
325.	Manavadar	...	...	...	...	101	26,209
326.	Thana Devli	...	...	...	...	117	18,748
327.	Vadia	...	...	...	...	90	16,818
328.	Virpur	...	...	...	...	66	8,594

Sc ^r al No.	Name of States.	Area in Sq. miles.	Population.
REST OF THE AGENCY :—			
329.	Akala	... ... ...	1,386 ...Not surveyed
330.	Alidhra	... ... ...	25·3 30·5
331.	Anida	...	15·5
332.	Rajpara (Halar)	...	25
333.	Bagasara Majmu Taluka	...	27
334.	Bantwa Majmu Taluka	...	56·2
335.	Bantwa Taluka	...	45
336.	Barwala	...	7
337.	Bhadwa	...	11·5
338.	Bhayavadar	...	598
339.	Champarajpur Taluka	...	11
340.	Dangavad	...	24·5
341.	Dedan	...	23·1
342.	Gadhika	...	27
343.	Gavridbul	...	24
344.	Hatal	...	Not surveyed.
345.	Harsnepur	...	36·89
346.	Jalie Devani	...	30
347.	Khaii	...	Not surveyed.
348.	Khujadia	...	45
349.	Kotda Pitha	...	27
350.	Kotharia	...	7·5
351.	Lodhika Mulwaji Estate	...	7·5
352.	Lodhika Vijaysinghji Estate	...	7·5
353.	Manpur	...	15
354.	Mayapadar	...	14
355.	Mengani	...	34
356.	Nadalal	...	16
357.	Natwarnagar	...	14
358.	Pal	...	21·2
359.	Pipalia	...	30
360.	Sanala	...	7·42
361.	Sardargadh	...	Total for
362.	Sardapur	...	the whole
363.	Shahpur	...	group is
364.	Thunbala	...	given above.
365.	Vasavad Majmu	...	16·8
NON-JURISDICTIONAL TALUKAS AND ESTATES OF THE WESTERN KATHIAWAR AGENCY.			
366.	Akadia	...	2
367.	Amrapur	...	8
368.	Babia	...	10
369.	Bagusra (Goded Matra) }	...	28·5
370.	Bagusra (Samat Matra) }	...	
371.	Bhadli	...	15
372.	Bhalgam Baldoi	...	1
373.	Bildi	...	3
374.	Charkha	...	10
375.	Dahida	...	2
376.	Dedan (Majmu)	...	25
377.	Derdi Janba	...	2
378.	Dholarva	...	4
379.	Dhrafra	...	44
380.	Gadhia	...	11
381.	Garmali Moti	...	2
382.	Garmali Nani	...	2
383.	Gigaseran	...	6
384.	Halaria	...	6
385.	Itaria	...	6
386.	Jhamka (Velani)	...	7
387.	Kamadhnia	...	4

Serial No.	Name of States.					Area in sq. miles.	Population.
388. Kaner	2	
389. Kankasiali	76	
390. Kanpur (Ishwaria)	3	
391. Kariana	10	
392. Kathrota	1	
393. Khambala	6	
394. Khijadia (Baba Thana)	2	
395. Khijadia (Nayani)	1	
396. Kotda Nayani	3	
397. Kuba	3	
398. Lakhapadar	5	
399. Lodhiaka Majmu	8	
400. Manavav	5	
401. Mahuva Nana	76	
402. Monvel	31	
403. Mulila Deri	15	
404. Nilvala	2	
405. Noghanvadar	1	
406. Randhia	3	
407. Satudadvavadi	13	
408. Silana	4	
409. Sisang Chandli	1	
410. Vadali	2	
411. Vaghavadi (Vaghvori)	3	
412. Vanla	8	
413. Vekaria	3	
414. Vichhavad	3.7	
415. Virva	0.76	

Figures of
population
of individu-
al States not
available
Total for
the whole
group is
given above

EASTERN KATHIAWAR AGENCY.

416. Bajana	...	...	...	...	...	189.12	...	13,906
417. Chuda	...	...	...	...	...	78.2	...	15,818
418. Lakhtr (Lakhtr Thana)	...	...	...	...	...	247.438	...	26,780
419. Lathi	...	...	...	...	...	48	...	10,812
420. Muli	...	...	...	...	...	138.2	...	16,977
421. Patdi	...	...	...	...	...	39.4	...	8,147
422. Sayla	...	...	...	...	...	222.1	...	15,352
423. Vala	...	...	...	...	...	190.3	...	16,197

REST OF THE AGENCY.

1,702 184,973

424. Anandpur (Dad & Nanayiva)	...	...	...	...	...	25	
425. Anandpur (Khacher Desa Bhoj)	...	...	...	...	...	70	
426. Rai Sankali	...	...	...	...	...	6	
427. Rajpur	...	...	...	...	...	238	
428. Vanod	...	...	...	...	...	57.3	
429. Vithalgadh	...	...	...	...	...	53	
430. Zainabad	...	...	...	...	...	30,	

Serial No.	Name of States.	Area in sq. miles.	Population.
NON-JURISDICTIONAL TALUKAS AND ESTATES IN THE EASTERN KATHIAWAR AGENCY.			
431.	Alampur (Devani)	44.	3
432.	Anandpur (Chotila Thana)	33.	13
433.	Ankevalia	33.	17
434.	Bamanbor	33.	12
435.	Bhadrvana	33.	15
436.	Bhalala	33.	6
437.	Bhalgandia	33.	19
438.	Bhandaria	33.	3
439.	Bhadtejda	33.	2
440.	Bhathan	33.	4
441.	Bhimora	33.	36
442.	Bhoika	33.	30
443.	Bhojavadar	33.	3
444.	Botanouess	33.	0 88
445.	Chanchana	33.	6
446.	Chamardi-Vachhani	33.	
447.	Chalala	33.	5
448.	Chiroda	33.	0 72
449.	Chitravav (Devani)	33.	1
450.	Chobari	33.	13
451.	Chok	33.	4
452.	Chotila	33.	115
453.	Darcd	33.	4
454.	Dasada	33.	89 7
455.	Datha	33.	68 9
456.	Dedarda	33.	2
457.	Dhujrej	33.	12
458.	Devalia	33.	11
459.	Dhola (Devani)	33.	1
460.	Gadhalia	33.	5
461.	Gadhula	33.	1
462.	Gandhol	33.	0 52
463.	Gedi	33.	2
464.	Gunjalala	33.	15
465.	Iavej	33.	7
466.	Jakhan	33.	3
467.	Jalin-Kayaji	33.	1
468.	Jalia-Manaji	33.	1
469.	Jhamar	33.	4
470.	Jhampodad	33.	4
471.	Jhinjhuvada	33.	164 6
472.	Junapadar	33.	0 31
473.	Kamalpur	33.	4
474.	Kanjarda	33.	0 98
475.	Kantbaria	33.	14
476.	Karnnad	33.	3
477.	Karol	33.	11
478.	Katodia (Vachhani)	33.	1
479.	Kesaria	33.	3
480.	Khanubhalav	33.	10
481.	Khandia	33.	5
482.	Kherali	33.	11
483.	Khijadia Dosaaji	33.	1
484.	Lilid	33.	4
485.	Linda	33.	7
486.	Matra-Timba	33.	6
487.	Mevasa	33.	24
488.	Merchoyna	33.	88
489.	Munjpur	33.	3

Figures for individual States not available.
Total for the whole group is given above.

Serial No.	Name of States			Area in Sq., miles.	Population.
SABAR KANTHA AGENCY.					
490.	Pachlegam (Devani)	...	...	10	
491.	Puh	...	...	1	
492.	Pallad	...	...	85	
493.	Palali	...	...	4	
494.	Panchavda (Vachhami)	...	...	78	
495.	Rajpura (Chok Thana)	...	...	1	
496.	Ramanka	...	...	2	
497.	Ramparda	...	...	5	
498.	Ranigam	...	...	3	
499.	Ranparda (Chok Thana)	...	...	5	
500.	Ratanpur Dhamanka	...	...	3	
501.	Rohisala	...	...	1	
502.	Rozwa	...	...	16	
503.	Sahaku	...	...	6	
504.	Semadhiela (Choka Thana)	...	...	1	
505.	Semadhiela (Chok Thana)	...	...	0.62	Figures for individual states not available.
506.	Semadhiela (Chok Thana)	...	...	1	
507.	Semip	...	...	13	
508.	Senala	...	...	0.51	Total for the whole group is given above.
509.	Serosia	...	...	13	
510.	Satapones	...	...	0.67	
511.	Sejakpur	...	...	29	
512.	Sedi Vadar	...	...	1	
513.	Songadh (Vachhami)	...	...	1	
514.	Sudama Dhandhalpur	...	...	135	
515.	Talsana	...	...	43	
516.	Tavi	...	...	12	
517.	Toila-Vachhami	...	...	1	
518.	Untadi	...	...	6	
519.	Vadal Bhandaria	...	...	1	
520.	Vadod (Devani)	...	...	Not available.	
521.	Vadod (Jhalawad)	...	...	11	
522.	Vana	...	...	24	
523.	Vangadhara	...	...	0.62	
524.	Vavdi Dharvala	...	...	4	
525.	Vavdi Vachhami	...	...	0.71	
526.	Vej-nones	...	...	6.20	
SABAR KANTHA AGENCY					
527.	Ambaliara	...	...	80	10,978
528.	Malpur	...	...	97	16,568
529.	Mansa	...	...	25	18,861
530.	Meharpur	...	...	89	15,727
531.	Thana	...	...	78	12,330
532.	Tharad	...	...	126	62,157
533.	Wanhi (Khanji's)	...	...	120	1,368
534.	Vao	...	...	750	24,673
REST OF THE AGENCY					
535.	Bhusna	...	...	1	
536.	Bolundra	...	...	6	
537.	Dabha	...	...	12	
538.	Dadhalia	...	...	28	
539.	Dedhrota	...	...	Not available.	Figures for individual states not available.
540.	Deodar	...	...	Do	
541.	Deodar Thana	...	...	Do	
542.	Derol	...	...	10	Total for the whole group is given above.
543.	Gabat	...	...	10	
544.	Ghadasar	...	...	16	
545.	Hadal	...	...	27	
546.	Hapa	...	...	5	
547.	Ilol	...	...	19	
548.	Kadoli	...	...	8	
549.	Katosan	...	...	10	

Serial No.	Name of State.			Area in sq. miles.	Population.
550.	Khadai	...	..	...	8
551.	Khedawada	...	.	...	27
552.	Lukhi	...	..	..	9
553.	Magodi	...	..	..	23
554.	Palaj	..	..	..	2
555.	Prempur	...	..	..	25
556.	Punadra	.	..	..	11
557.	Ramas	..	..	..	6
558.	Ranasan	...	..	..	30
559.	Rupal	...	..	..	16
560.	Santalpur in Sabar Kantha	...		Not surveyed.	
561.	Sathamba	...	..	..	18
562.	Sathasna	...	..	..	25
563.	Sudasna	...	..	..	2
564.	Tajouri	...	..	..	7
565.	Urwada	...	..	..	61 75
566.	Vektapur	..	..	..	4
567.	Vijasi	...	..	..	2
568.	Virsoda	...	..	..	11
569.	Wadagam	...	..	..	28
570.	Warahi's (Khanji's)	...	..	..	40
571.	Wasna	...	..	..	10
NON-JURISDICTIONAL TALUKAS AND ESTATES IN THE SABAR KANTHA AGENCY—					
572.	Deloli	...	..	..	2
573.	Ijpura	...	..	..	2
574.	Kasulpura	...	..	..	2
575.	Maguna	..	..	..	5
576.	Mehmad	..	..	..	1
577.	Mota Kot asun	..	..	..	3
578.	Rampura	..	..	..	1
579.	Ranipura	..	..	..	220
580.	Saigam	..	..	..	4
581.	Tejpura	..	..	..	10
582.	Umri	..	..	..	3
583.	Timba	..	..	..	3
584.	Vinsoda	...	..

Figures for
individual
States not
available.
Total for
the whole
group is
given above.

APPENDIX III.

CABINET MISSION, SIMLA, 12TH MAY 1946.

Memorandum in regard to States Treaties and Paramountcy.

1. Prior to the recent statement of the British Prime Minister in the House of Commons an assurance was given to the Princes that there was no intention on the part of the Crown to initiate any change in their relationship with the Crown or the rights guaranteed by their treaties and engagements without their consent. It was at the same time stated that the Princes' consent to any changes which might emerge as a result of negotiations would not unreasonably be withheld. The Chamber of Princes has since confirmed that the Indian States fully share the general desire in the country for the immediate attainment by India of her full stature. His Majesty's Government have now declared that if the successor Government or Governments in British India desire independence no obstacle would be placed in their way. The effect of these announcements is that all those concerned with the future of India wish her to attain a position of independence within or without the British Commonwealth. The Delegation have come here to assist in resolving the difficulties which stand in the way of India fulfilling this wish.

2. During the interim period, which must elapse before the coming into operation of a new Constitutional structure under which British India will be independent or fully self-governing, paramountcy will remain in operation. But the British Government could not and will not in any circumstances transfer paramountcy to an Indian Government.

3. In the meanwhile, the Indian States are in a position to play an important part in the formulation of the new Constitutional structure for India and His Majesty's Government have been informed by the Indian States that they desire, in their own interests and in the interests of India as a whole, both to make their contribution to the framing of the structure, and to take their due place in it when it is completed. In order to facilitate this they will doubtless strengthen their position by doing everything possible to ensure that their administrations conform to the highest standard. Where adequate standards cannot be achieved within the existing resources of the State they will no doubt arrange in suitable cases to form or join administrative units large enough to enable them to be fitted into the constitutional structure. It will also strengthen the position of States during this formulative period if the various Governments which have not already done so take active steps to place themselves in close and constant touch with public opinion in their State by means of representative institutions.

4. During the interim period it will be necessary for the States to conduct negotiations with British India in regard to the future regulation of matters of common concern, especially in the economic and financial field. Such negotiations which will be necessary whether the States desire to participate in the new Indian Constitutional structure or not, will occupy a considerable period of time, and since some of these negotiations may well be incomplete when the new structure comes into being, it will, in order to avoid administrative difficulties, be necessary to arrive at an understanding between the States and those likely to control the successor Government or Governments that for a period of time the then existing arrangements as to these matters of common concern should continue until the new agreements are completed. In this matter, the British Government and the Crown Representative will lend such assistance as they can should it be so desired.

5. When a new fully self-governing or independent Government or Governments come into being in British India, His Majesty's Government's influence with these Governments will not be such as to enable them to carry out the obligations of paramountcy. Moreover they cannot contemplate that British troops would be retained in India for this purpose. Thus as a logical sequence and in view of the desires expressed to them on behalf of the Indian States, His Majesty's Government will cease to exercise the powers of paramountcy. This means that the rights of the States which flow from their relationship to the Crown will no longer exist and that all the rights surrendered by the States to the paramount power will return to the States. Political arrangements between the States on the one side and the British Crown and British India on the other will thus be brought to an end. The void will have to be filled either by the States entering into a federal relationship with the successor Government or Governments in British India or failing this, entering into particular political arrangements with it or them.

NOTE.—The following explanatory note was issued by the Cabinet Mission in New Delhi on the date of publication (22nd May 1946):—

"The Cabinet Delegation desire to make it clear that the document issued today entitled 'Memorandum on States Treaties and Paramountcy' ... by the Cabinet Delegation to His Highness the Chancellor of the Chamber of Princes' was drawn up before the Mission began its discussions with party leaders and represented the substance of what they communicated to the representatives of the States at their first interviews with the Mission. This is the explanation of the use of the words 'Succession Government or Governments of British India' an expression which would not of course have been used after the issue of the Delegation's recent statement."

APPENDIX IV.

STATEMENT BY THE CABINET DELEGATION AND HIS EXCELLENCY THE VICEROY.

* * * * *

14. Before putting forward our recommendations we turn to deal with the relationship of the Indian States to British India. It is quite clear that with the attainment of independence by British India, whether inside or outside the British Commonwealth, the relationship which has hitherto existed between the Rulers of the States and the British Crown will no longer be possible. Paramountcy can neither be retained by the British Crown nor transferred to the new Government. This fact has been fully recognised by those whom we interviewed from the States. They have at the same time assured us that the States are ready and willing to co-operate in the new development of India. The precise form which their co-operation will take must be a matter for negotiation during the building up of the new constitutional structure, and it by no means follows that it will be identical for all the States. We have not therefore dealt with the States in the same detail as the Provinces of British India in the paragraphs which follow.

* * * * *

We recommend that the constitution should take the following basic form:—

- (1) There should be a Union of India, embracing both British India and the States, which should deal with the following subjects: Foreign Affairs, Defence, and Communications;

{ and should have the powers necessary to raise the finances required for the above subjects.

* * * * *

(4) The States will retain all subjects and powers other than those ceded to the Union.

* * * * *

(ii) It is the intention that the States should be given in the final Constituent Assembly appropriate representation which would not, on the basis of the calculations adopted for British India, exceed 93, but the method of selection will have to be determined by consultation. The States would in the preliminary stage be represented by a Negotiating Committee.

* * * * *

(vi) The representatives of the Sections and the Indian States shall reassemble for the purpose of settling the Union Constitution.

* * * * *

21. His Excellency the Viceroy will forthwith request the Provincial Legislatures to proceed with the election of their representatives and the States to set up a Negotiating Committee.

APPENDIX V.

INDIAN INDEPENDENCE ACT.

7. Consequences of the setting up of the new Dominions.

(1) As from the appointed day (August 15th, 1947).

* * * * *

(b) the suzerainty of His Majesty over the Indian States lapses, and with it, all treaties and agreements in force at the date of the passing of this Act between His Majesty and the Rulers of Indian States, all functions exercisable by His Majesty at that date with respect to Indian States, all obligations of His Majesty existing at that date towards Indian States or the Rulers thereof, and all powers, rights, authority or jurisdiction exercisable by His Majesty at that date in or in relation to Indian States by treaty, grant, usage, sufferance or otherwise;

(c) * * * * *

Provided that, notwithstanding anything in paragraph (b) or paragraph (c) of this sub-section, effect shall, as nearly as may be, continue to be given to the provisions of any such agreement as is therein referred to which relate to customs, transit and communications, posts and telegraphs, or other like matters, until the provisions in question are denounced by the Ruler of the Indian State or person having authority in the tribal areas on the one hand, or by the Dominion or Province or other part thereof concerned on the other hand, or are superseded by subsequent agreements.

APPENDIX VI.

SARDAR PATEL'S STATEMENT OF 5TH JULY 1947 ON INDIAN STATES.

It was announced some days back that the Government of India had decided to set up a Department to conduct their relations with the States in matters of common concern. This Department has come into being today and the States have been informed to this effect. On this important occasion I have a few words to say to the Rulers of Indian States among whom I am happy to count many as my personal friends.

It is the lesson of history that it was owing to her political fragmented condition and our inability to make a united stand that India succumbed to successive waves of invaders. Our mutual conflicts, and internecine quarrels and jealousies have in the past been the cause of our downfall and our falling victims to foreign domination a number of times. We cannot afford to fall into those errors or traps again. We are on the threshold of independence. It is true that we have not been able to preserve the unity of the country entirely unimpaired in the final stage. To the bitter disappointment and sorrow of many of us some parts have chosen to go out of India and to set up their own Government. But there can be no question that despite this separation a fundamental homogeneity of culture and sentiment reinforced by the compulsive logic of mutual interest, would continue to govern us. Much more would this be the case with that vast majority of States which owing to their geographical contiguity and indissoluble ties, economic, cultural and political, must continue to maintain relations of mutual friendship and co-operation with the rest of India. The safety and preservation of these States as well as of India demand unity and mutual co-operation between its different parts.

When the British established their rule in India they evolved the doctrine of paramountcy which established the supremacy of British interests. That doctrine has remained undefined to this day, but in its exercise there has undoubtedly been more subordination than co-operation. Outside the field of paramountcy there has been a very wide scope in which relations between British India and the States have been regulated by enlightened mutual interests. Now that British rule is ending, the demand has been made that the States should regain their independence. In so far as paramountcy embodied the submission of States to foreign will, I have every sympathy with this demand, but I do not think it can be their desire to utilise this freedom from domination in a manner which is injurious to the common interests of India or which militates against the ultimate paramountcy of popular interests and welfare or which might result in the abandonment of that mutually useful relationship that has developed between British India and Indian States during the last century. This has been amply demonstrated by the fact that a great majority of Indian States have already come into the Constituent Assembly. To those who have not done so, I appeal that they should join now. The States have already accepted the basic principle that for Defence, Foreign Affairs and Communications they would come into the Indian Union. We ask no more of them than accession on these three subjects in which the common interests of the country are involved. In other matters we would scrupulously respect their autonomous existence.

This country with its institutions is the proud heritage of the people who inhabit it. It is an accident that some live in the States and some in British India, but all alike partake of its culture and character. We are all knit together by bonds of blood and feeling no less than of self-interest. None can segregate us into segments; no impassable barriers can be set up between us. I suggest that it is therefore better for us to make laws

sitting together as friends than to make treaties as aliens. I invite my friends, the Rulers of States and their people to the Councils of Constituent Assembly in this spirit of friendliness and co-operation in a joint endeavour inspired by common allegiance to our motherland for the common good of us all.

There appears a great deal of misunderstanding about the attitude of the Congress towards the States. I should like to make it clear that it is not the desire of the Congress to interfere in any manner whatever with the domestic affairs of the States. They are no enemies of the Princely Order, but, on the other hand, wish them and their people under this aegis all prosperity, contentment and happiness. Nor would it be my policy to conduct the relations of the new Department with the States in any manner which savours of the domination of one over the other; if there would be any domination, it would be that of our mutual interests and welfare. We have no ulterior motive or selfish interests to serve. Our common objective should be to understand each other's point of view and come to decisions acceptable to all and in the best interests of the country. With this object, I propose to explore the possibility of associating with the administration of the new Department a Standing Committee representative of both the States and British India.

We are at a momentous stage in the history of India. By common endeavour we can raise the country to a new greatness while lack of unity will expose us to fresh calamities. I hope the Indian States will bear in mind that the alternative to co-operation in the general interest is anarchy and chaos which will overwhelm great and small in a common ruin if we are unable to act together in the minimum of common tasks. Let not the future generation curse us for having had the opportunity but failed to turn it to our mutual advantage. Instead, let it be our proud privilege to leave a legacy of mutually beneficial relationship which would raise this Sacred Land to its proper place amongst the nations of the world and turn it into an abode of peace and prosperity.

APPENDIX VII.

PRESS COMMUNIQUE.

A conference of the Rulers and representatives of Indian States was held at 3-30 P.M. in the Chamber of Princes on Friday, 25th July, 1947, His Excellency the Viceroy presiding.

Addressing the Conference, H.E. the Viceroy said:—

YOUR HIGHNESSES AND GENTLEMEN,

It is a great pleasure and a great privilege for me to address so many Rulers, Dewans and representatives of the States of India in this historic Chamber of Princes. It is my first and my last occasion that I have the privilege of addressing you as Crown Representative.

I would like to begin with by giving you a very brief history of the negotiations I have conducted since I have been out here and the line that I have taken up about the States.

There were two distinct problems that faced me. The first was how to transfer power to British India and the second, how to fit the Indian States into the picture in a manner which would be fair and just to all concerned.

I dealt first with the problem of British India, because you will realise that until that problem was solved it was quite useless to try to start on a solution of the problem of the States. So I addressed my mind to that.

Here I digress. There was a universal acceptance among the States of the Cabinet Mission's Memorandum of May 12th and when the parties accepted my Statement of June 3rd they fully realised that withdrawal of Paramountcy would enable the States to regain complete sovereignty. That gave me a starting point from which to try and deal fairly with the States.

But before I got down to dealing with the States there was one other thing that I clearly had to do. I had to address myself to the problem of the mechanics of partition—a plan against my personal desires. As you all know, it took three years to separate Burma from India, in spite of the fact (as I can testify, as also His Highness of Bundi and others) that there are no roads running between India and Burma. Nevertheless, it took three years to arrange that partition. It took two years to separate the Province of Sind from Bombay. It took two years to separate the Province of Orissa from Bihar. Gentlemen, we decided that in less than $2\frac{1}{2}$ months we shall have to go through the partitioning of one of the biggest countries in the world with 400 million inhabitants. There was a reason for the speed. I was quite certain that while the British overlordship remained no satisfactory conclusions could be reached psychologically between the parties. So once we got the two Governments set up and separated, they would be able to try and finish off the details in an atmosphere of goodwill.

Now, the Indian Independence Act releases the States from all their obligations to the Crown. The States have complete freedom—technically and legally they are independent. Presently I will discuss the degree of independence which we ourselves feel is best in the interests of your own States. But there has grown up during the period of British administration, owing to the fact that the Crown Representative and the Viceroy are one and the same person, a system of co-ordinated administration on all matters of common concern which meant that the sub-continent of India acted as an economic entity. That link is now to be broken. If nothing can be put in its place, only chaos can result, and that chaos, I submit, will hurt the States first—the bigger the State the less the hurt and the longer it will take to feel it—but even the biggest of the States will feel itself hurt just the same as any small State. The first step was to set up some machinery by which it was possible to put the two future Governments of India—the Dominions of India and Pakistan—into direct touch with the States. So we conceived the scheme of setting up two States Departments within the future Governments. Please note that these States Departments are not the successors of the Political Department. They have been set up simultaneously and side by side. While the Political Department exercised functions relating to paramountcy on behalf of the Crown Representative, the States Departments are to take over those subjects gradually which have nothing to do with paramountcy but which will be concerned with relations with neighbouring States and also provide the machinery to negotiate in such matters. In India the States Department is under the admirable guidance of Sardar Vallabhbhai Patel with my own Reforms Commissioner, Mr. V. P. Menon as Secretary. In Pakistan the Department is under Sardar Abdur Rab Nishtar with Mr. Ikramullah as the Secretary. It was necessary to set up two States Departments, one in each Government because the States are theoretically free to link their future with whichever Dominion they may care. But when I say that they are at liberty to link up with either of the Dominions, may I point out that there are certain geographical compulsions which cannot be evaded. Out of something like 550 States, the vast majority are irretrievably linked geographically with the Dominion of India. The problem therefore is of far greater magnitude with the Dominion of India than it is with Pakistan. In the case of Pakistan the States, although important are not so numerous, and Mr. Jinnah, the future

Governor-General of Pakistan, is prepared to negotiate the case of each State separately and individually. But in the case of India where the overwhelming majority of the States are involved, clearly separate negotiation with each State is out of the question.

The first step that I took was to suggest that in the Bill before Parliament—the Indian Independence Act—a clause should be put in which would enable certain essential agreements to continue until renounced by either side. That was only done to ensure that there should be some continuity and to see if in the short time available it was not possible to get the agreement through with every State representative. It does not replace the need for Standstill agreements; it gives a very slight breathing space.

Now, I think it is no exaggeration to say that most Rulers and Dewans were apprehensive as to what their future would be when paramountcy lapsed. At one time it appeared that unless they joined the Constituent Assembly and accepted the Constitution when it was framed, they would be outside the organisation and left in a position which, I submit, if you think it over carefully, no State could view with equanimity—to be left out having no satisfactory relations or contacts with either Dominion Government. You can imagine how relieved I was, and I am sure you will yourselves have been equally relieved, when Sardar Vallabhbhai Patel on taking over the States Department made, if I may say so, a most statesmanlike statement of what he considered were the essentials towards agreement between the States and the Dominion of India.

Let us turn for one moment to the Cabinet Mission Plan of 16th May 1946. In this Plan the proposal was that the States should surrender to the Central Government three subjects—Defence, External Affairs and Communications. That was a plan which, to the best of my belief, every Ruler and every State accepted as reasonable, fair and just. I talked with so many Rulers and everyone felt that Defence was a matter that a State could not conduct for itself. I am not talking of internal security but of defence against external aggression. I submit, therefore, that if you do not link up with one or the other of the Dominions, you will be cut off from any source of supplies of up-to-date arms or weapons.

External Affairs is inextricably linked up with Defence. External Affairs is something again which is outside the boundaries of India in which not even the greatest State can operate effectively. You can hardly want to go to the expense of having Ambassadors or Ministers or Consuls in all these foreign countries; surely you want to be able to use those of India and Pakistan. Once more I suggest that External Affairs is something that you have not dealt with since the formation of the East India Company. It would be difficult to operate and will also be a source of embarrassment for you to have to take it up and it can only be managed by those who manage the Defence of the country. I submit that if you take it up it will be a liability and not an asset.

The third subject is Communications. Communications is really a means of maintaining the life-blood of the whole sub-continent. I imagine everybody agrees that the country has got to go on. The continuity of Communications is already provided for to a certain extent in the Indian Independence Act; and most of the representatives here have come to discuss it as item 2 on the agenda.

Therefore I am sure you will agree that these three subjects have got to be handled for you for your convenience and advantage by a larger organisation. This seems so obvious that I was at a loss to understand why some Rulers were reluctant to accept the position. One explanation probably was that some of you were apprehensive that the Central Government

would attempt to impose a financial liability on the States or encroach in other ways on their sovereignty. If I am right in this assumption, at any rate so far as some Princes are concerned, I think I must dispel their apprehensions and misgivings. The draft Instrument of Accession which I have caused to be circulated as a basis for discussion and not for publication to the representatives of the States provides that the States accede to the appropriate Dominion on three subjects only without any financial liability. Further, that Instrument contains an explicit provision that in no other matters has the Central Government any authority to encroach on the internal autonomy or the sovereignty of the States. This would, in my view, be a tremendous achievement for the States. But I must make it clear that I have still to persuade the Government of India to accept it. If all of you would co-operate with me and are ready to accede, I am confident that I can succeed in my efforts. Remember that the day of the transfer of power is very close at hand and, if you are prepared to come, you must come before the 15th August. I have no doubt that this is in the best interests of the States, and every wise Ruler and wise Government would desire to link up with the great Dominion of India on a basis which leaves you great internal autonomy and which at the same time gets rid of your worries and cares over External Affairs, Defence and Communications.

The whole country is passing through a critical period. I am not asking any State to make any intolerable sacrifice of either its internal autonomy or independence. My scheme leaves you with all the practical independence that you can possibly use and makes you free of all those subjects which you cannot possibly manage on your own. You cannot run away from the Dominion Government which is your neighbour any more than you can run away from the subjects for whose welfare you are responsible. Whatever may be your decision, I hope you feel that I have at least done my duty by the States.

His Excellency then proposed the following Committee for a detailed consideration of the items on the agenda.

- His Highness the Chancellor, the Maharaja of Patiala.
- His Highness the Maharaja of Baroda.
- His Highness the Maharaja of Gwalior.
- His Highness the Nawab of Bhopal.
- His Highness the Maharaja of Bikaner.
- His Highness the Maharaja of Nawanagar.
- His Highness the Maharawal of Dungarpur.**
- His Highness the Maharaja of Panna.
- His Highness the Maharaja of Sirmoor.
- The Raja of Korea.
- The Nawab of Chhatari of Hyderabad.
- Sir C. P. Ramaswami Aiyer of Travancore.
- Sir A. Ramaswami Mudaliar of Mysore.
- Sir V. T. Krishnamachari of Jaipur.
- Sir B. L. Mitter of Baroda.
- Mr. M. A. Srinivasan of Gwalior.
- Sardar K. M. Panikkar of Bikaner.
- Mr. C. S. Venkatachar of Jodhpur.
- Sardar D. K. Sen.
- Dewan Bahadur C. P. Karunakara Menon of Cochin
- Rai Bahadur D. A. Surve of Kolhapur.
- Mr. B. H. Zaidi of Rampur.

His Excellency stated that the idea was to have a compact body to save time. They could split into two sub-committees, one to discuss the draft

Instrument of Accession and the other to discuss the Standstill agreements and other matters. He sincerely trusted that the other State representatives would not leave Delhi and that they would maintain daily contact with the members of the Committee to make sure that the Committee is conversant with the majority feelings in the States.

THE VICEROY'S HOUSE,
New Delhi, July 25th, 1947.

APPENDIX VIII.

INSTRUMENT OF ACCESSION OF.....

WHEREAS the Indian Independence Act, 1947, provides that as from the fifteenth day of August, 1947, there shall be set up an independent Dominion known as INDIA, and that the Government of India Act, 1935, shall, with such omissions, additions, adaptations and modification as the Governor-General may by order specify be applicable to the Dominion of India;

AND WHEREAS the Government of India Act, 1935, as so adapted by the Governor-General provides that an Indian State may accede to the Dominion of India by an Instrument of Accession executed by the Ruler thereof:

Now THEREFORE I.....
Ruler of.....
in the exercise of my sovereignty in and over my said State Do hereby execute this my Instrument of Accession and

1. I hereby declare that I accede to the Dominion of India with the intent that the Governor-General of India, the Dominion Legislature, the Federal Court and any other Dominion authority established for the purposes of the Dominion shall, by virtue of this my Instrument of Accession but subject always to the terms thereof, and for the purposes only of the Dominion, exercise in relation to the State of..... (hereinafter referred to as "this State") such functions as may be vested in them by or under the Government of India Act, 1935, as in force in the Dominion of India on the 15th day of August 1947 (which Act as so in force is hereinafter referred to as "the Act").

2. I hereby assume the obligation of ensuring that due effect is given to the provisions of the Act within this State so far as they are applicable therein by virtue of this my Instrument of Accession.

3. I accept the matters specified in the Schedule hereto as the matters with respect to which the Dominion Legislature may make laws for this State.

4. I hereby declare that I accede to the Dominion of India on the assurance that if an agreement is made between the Governor-General and the Ruler of this State whereby any functions in relation to the administration in this State of any law of the Dominion Legislature shall be exercised by the Ruler of this State, then any such agreement shall be deemed to form part of this Instrument and shall be construed and have effect accordingly.

5. The terms of this my Instrument of Accession shall not be varied by any amendment of the Act or of the Indian Independence Act, 1947, unless such amendment is accepted by me by an Instrument supplementary to

6. Nothing in this Instrument shall empower the Dominion Legislature to make any law for this State authorising the compulsory acquisition of land for any purpose, but I hereby undertake that should the Dominion for the purposes of a Dominion law which applies in this State deem it necessary to acquire any land, I will at their request acquire the land at their expense or if the land belongs to me transfer it to them on such terms as may be agreed, or, in default of agreement, determined by an arbitrator to be appointed by the Chief Justice of India.

7. Nothing in this Instrument shall be deemed to commit me in any way to acceptance of any future constitution of India or to fetter my discretion to enter into arrangements with the Government of India under any such future constitution.

8. Nothing in this Instrument affects the continuance of my sovereignty in and over this State, or, save as provided by or under this Instrument, the exercise of any powers, authority and rights now enjoyed by me as Ruler of this State or the validity of any law at present in force in this State.

9. I hereby declare that I execute this Instrument on behalf of this State and that any reference in this Instrument to me or to the Ruler of the State is to be construed as including a reference to my heirs and successors.

Given under my hand this.....day of August, Nineteen hundred and forty-seven.

I do hereby accept this Instrument of Accession.

Dated this.....day of August, Nineteen hundred and forty-seven.

(Governor-General of India)

SCHEDULE.

THE MATTERS WITH RESPECT TO WHICH THE DOMINION LEGISLATURE MAY MAKE LAWS FOR THIS STATE.

A. Defence.

1. The naval, military and air forces of the Dominion and any other armed force raised or maintained by the Dominion; any armed forces, including forces raised or maintained by an acceding State, which are attached to, or operating with, any of the armed forces of the Dominion.

2. Naval, military and air force works, administration of cantonment areas.

3. Arms; fire-arms; ammunition.

4. Explosives.

B. External Affairs.

1. External affairs; the implementing of treaties and agreements with other countries; extradition, including the surrender of criminals and accused persons to parts of His Majesty's dominions outside India.

2. Admission into, and emigration and expulsion from, India, including in relation thereto the regulation of the movements in India of persons who are not British subjects domiciled in India or subjects of any acceding State, pilgrimages to places beyond India.

3 Naturalisation.

C Communications.

1. Posts and telegraphs, including telephones, wireless, broadcasting, and other like forms of communication.

2. Federal railways; the regulation of all railways other than minor railways in respect of safety, maximum and minimum rates and fares, station and service terminal charges, interchange of traffic and the responsibility of railway administrations as carriers of goods and passengers; the regulation of minor railways in respect of safety and the responsibility of the administrations of such railways as carriers of goods and passengers.

3. Maritime shipping and navigation, including shipping and navigation on tidal waters; Admiralty jurisdiction.

4. Port quarantine.

5. Major ports, that is to say, the declaration and delimitation of such ports, and the constitution and powers of Port Authorities therein.

6. Aircraft and air navigation; the provision of aerodromes; regulation and organisation of air traffic and of aerodromes.

7. Lighthouses, including lightships, beacons and other provisions for the safety of shipping and aircraft.

8. Carriage of passengers and goods by sea or by air.

9. Extension of the powers and jurisdiction of members of the police force belonging to any unit to railway area outside that unit.

D Ancillary.

1. Elections to the Dominion Legislature, subject to the provisions of the Act and of any Order made thereunder.

2. Offences against laws with respect to any of the aforesaid matters.

3. Inquiries and statistics for the purposes of any of the aforesaid matters.

4. Jurisdiction and powers of all courts with respect to any of the aforesaid matters but, except with the consent of the Ruler of the acceding State, not so as to confer any jurisdiction or powers upon any courts other than courts ordinarily exercising jurisdiction in or in relation to that State.

APPENDIX IX.

**AGREEMENT BETWEEN THE STATE OF
AND THE DOMINION OF INDIA.**

WHEREAS it is to the benefit and advantage of the Dominion of India as well as of the Indian States that existing agreements and administrative arrangements in the matters of common concern, should continue for the time being, between the Dominion of India or any part thereof and the Indian States:

Now therefore it is agreed between the State and the Dominion of India that:—

1 (1) Until new agreements in this behalf are made, all agreements and administrative arrangements as to matters of common concern now existing between the Crown and any Indian State shall, in so far as may be appropriate, continue as between the Dominion of India or, as the case may be, the part thereof, and the State.

- (2) In particular, and without derogation from the generality of sub-clause (1) of this clause the matters referred to above shall include the matters specified in the Schedule to this Agreement.
2. Any dispute arising out of this Agreement, or out of the agreement, its arrangements hereby continued, shall, unless any provision is made therein for arbitration by an authority other than the Governor-General or Governor, be settled by arbitration according, as far as may be, to the procedure of the Indian Arbitration Act, 1899.
3. Nothing in this Agreement includes the exercise of any paramountcy functions.

.....State.

.....Secretary to the Government of India.

SCHEDULE.

1. Air Communications.
2. Arms and equipment.
3. Control of commodities.
4. Currency and coinage.
5. Customs.
6. Indian States Forces.
7. External Affairs.
8. Extradition.
9. Import and Export Control.
10. Irrigation and Electric Power.
11. Motor vehicles.
12. National Highways.
13. Opium.
14. Posts, Telegraphs and Telephones.
15. Railways (including police and other arrangements in Railway lands).
16. Salt.
17. Central Excises, relief from double income-tax and other arrangements relating to taxation.
18. Wireless.

APPENDIX X.

AGREEMENT made this fourteenth day of December 1947 between the Governor-General of India and the Raja of.....

WHEREAS in the immediate interests of the State and its people, the Raja of.....is desirous that the administration of the State should be integrated as early as possible with that of the Province of Orissa/C.P. in such manner as the Government of the Dominion of India may think fit;

It is hereby agreed as follows:—

ARTICLE I.

The Raja of..... hereby cedes to the Dominion Government full and exclusive authority, jurisdiction and powers for and in relation to the governance of the State and agrees to

transfer the administration of the State to the Dominion Government on the 1st day of January 1948 (hereinafter referred to as "the said day").

As from the said day the Dominion Government will be competent to exercise the said powers, authority and jurisdiction in such manner and through such agency as it may think fit.

ARTICLE 2.

The Raja shall with effect from the said day be entitled to receive from the revenues of the State annually for his privy purse the sum of rupees free of taxes. This amount is intended to cover all the expenses of the Ruler and his family, including expenses on account of his personal staff, maintenance of his residences, marriages and other ceremonies, etc., and will neither be increased nor reduced for any reason whatsoever.

The said sum may be drawn by the Raja in four equal instalments in advance at the beginning of each quarter by presenting bills at the State Treasury or at such other Treasury as may be specified by the Dominion Government.

ARTICLE 3.

The Raja shall be entitled to the full ownership, use and enjoyment of all private properties (as distinct from State properties) belonging to him on the date of this agreement.

The Raja will furnish to the Dominion Government before the 1st day of January 1948 an inventory of all the immovable property, securities and cash balances held by him as such private property.

If any dispute arises as to whether any item of property is the private property of the Raja or State property, it shall be referred to such officer with judicial experience as the Dominion Government may nominate and the decision of that officer shall be final and binding on both parties.

ARTICLE 4.

The Raja, the Rani, the Rajmata, the Yuvraja and the Yuvrani shall be entitled to all personal privileges enjoyed by them whether within or outside the territories of the State, immediately before the 15th day of August 1947.

ARTICLE 5.

The Dominion Government guarantees the succession, according to law and custom, to the *gadi* of the State and to the Raja's personal rights, privileges, dignities and titles.

In confirmation whereof Mr. Vapal Pangunni Menon, Secretary to the Government of India in the Ministry of States, has appended his signature on behalf and with the authority of the Governor-General of India and.....

.....Raja of.....
.....has appended his signature on behalf of himself, his heirs and successors.

.....
.....Raja of.....

.....
.....Secretary to the Government
of India. Ministry of States.

APPENDIX XI.

SARDAR VALLABHBHAI PATEL'S STATEMENT OF DECEMBER
16TH, 1947.

The public has already received through the Press and over the radio a fairly clear and detailed picture of the settlement which I have reached, during the course of my visit to Orissa and C.P. and Berar, with the Rulers of Orissa and Chattisgarh States on the problem of integration of those States with their neighbouring Provinces. I feel, however, that for a correct appreciation of this important event, it is necessary for me to explain the background and the policy underlying that settlement. Democratisation of the administration which has long been the keynote of Congress policy towards the States has become a pressing problem since August 15th. The Princes themselves have in many cases begun to realise the spirit of the times and have been gradually introducing measures in accord with that spirit. The progress has been in some States slow, in others it has been swift, but everywhere it has been sure.

It should be obvious to everyone, however, that even democracy and democratic institutions can function efficiently only where the unit to which these are applied can subsist in a fairly autonomous existence. Where, on account of smallness of its size, isolation of its situation, the inseparable link with a neighbouring autonomous territory, be it a Province or a bigger State, in practically all economic matters of every-day life, the inadequacy of resources to open up its economic potentialities, the backwardness of its people and the sheer incapacity to shoulder a self-contained administration, a State is unable to afford a modern system of government, both democratisation and integration are clearly and unmistakably indicated.

In the world of today where distances are fast shrinking and masses are being gradually brought into touch with latest administrative amenities, it is impossible to postpone for a day longer than necessary the introduction of measures which would make the people realise that their progress is also proceeding at least on the lines of their neighbouring areas. Delays inevitably lead to discontent, which in its turn results in lawlessness; the use of force may for a time check the popular urge for reform, but it can never succeed in eradicating it altogether. Indeed, in many of the States with which I had to hold discussions during the last two days large scale unrest had already gripped the people; in others the rumblings of the storm were being heard. In such circumstances, after careful and anxious thought, I came to the conclusion that for smaller States of this type, placed in circumstances which I have described above, there was no alternative to integration and democratisation.

At the same time I felt that their rulers had acquired by heredity and history certain claims on the people which the latter must honour. Their dignities and privileges and their means of subsistence on a reasonable standard must be assured. I have always held to the belief that the future of the Princes lies in the service of their people and their country and not in the continued assertion of their autocracy. In conformity with these ideas, I felt that on release from an increasingly onerous and awkward responsibility, but at the same time with their personal position and that of the ruling family fully safeguarded, they would have opportunities of service which have hitherto been denied to them and which many of them are genuinely longing for and genuinely anxious to secure, and they would cease to be the targets of continuous bitter attacks and ill-will.

The settlement which we have reached at Cuttack and Nagpur is actuated by these motives, prompted by these considerations and governed by these principles. I have no doubt that it is in the best interests of the

Rulers, the people and the country at large. I am particularly grateful to the Rulers of the States who showed a commendable appreciation of the realities of the situation and a benevolent regard for public good. To all of them, undoubtedly the decisions they have taken have involved considerable sacrifice of powers and fortune. They have accepted this sacrifice cheerfully and voluntarily in the interests of their people and the country at large. I am sure their people will react favourably to this generous response to public interests.

Throughout my discussions with the Rulers I was careful to emphasise that the solution which we suggested for the difficult problems with which we and they were equally faced was for them to accept or reject of their own free will. There was no compulsion save that of events and of the circumstances and peculiar problems of their States. I also told them that in offering this solution we were actuated by nothing but the friendliest disposition towards them and had nothing but the ultimate good of the Princes and their people at heart. I also maintained that their voluntary surrender of most of the powers that they wielded so far would increase and not reduce the prestige that they have enjoyed and would create in the hearts of their people a place of lasting affection and regard which would redound to their glory. I am very glad that they all responded to these sentiments and would ask the people of these States to play their own part and to extend to each one of them unfailing cordiality and unstinted goodwill.

In future, if the people of these States have any grievances, they can only be against the popular representatives and leaders who would be charged with their interests and welfare, and not against the Princes. These Princes have by their act of abnegation purchased in perpetuity their right to claim the devotion of their people. I am sure that very soon the Provincial Governments who would be acting for the Dominion Government in discharging administrative functions in these States will turn their thoughts and energies to ameliorating the conditions of the people and to devising ways and means of associating representatives of States with the framing of administrative measures. Let them all realise the stakes involved—some 56,000 square miles of territory with a population of about eight million, a gross revenue of about 2 crores and immense potentialities for the future. It is the undisputable right of the people in these territories to modern amenities of Government which should be the governing consideration in everything that we do for them. It will also be the duty of the people concerned to help and co-operate wholeheartedly with the respective Provincial administrations in this process of unification and amelioration, so that they may derive the full benefit of this great achievement.

APPENDIX XII.

THE COVENANT

ENTERED INTO BY THE RULERS OF KATHIAWAR STATES FOR THE FORMATION OF THE UNITED STATE OF KATHIAWAR.

WE, the Rulers of certain States in Kathiawar,

BEING CONVINCED that the welfare of the people of this region can best be secured by the establishment of a State comprising the territories of the numerous States, Estates and Talukas in Kathiawar with a common Executive, Legislature and Judiciary,

AND HAVING resolved to entrust to a Constituent Assembly consisting of elected representatives of the people the drawing up of a

democratic Constitution for that State within the framework of the Constitution of India to which we have already acceded, and of this Covenant,

DO HEREBY, with the concurrence and guarantee of the Government of India, enter into the following COVENANT—

ARTICLE I.

In this Covenant,—

- (a) "Covenanting State" means any of the States mentioned in Schedule I the Ruler of which has, whether by himself or by a duly authorised representative, signed this Covenant;
- (b) "Covenanting Salute State" means any Covenanting State which is mentioned in Part A of Schedule I;
- (c) "Covenanting Non-Salute State" means any Covenanting State which is mentioned in Part B of Schedule I; and
- (d) unless there is anything repugnant in the subject or context, references to the Ruler of a State, or the Talukdar of a Taluka, include any person or persons for the time being exercising the powers of the Ruler or Talukdar whether by reason of his minority or for any other reason.

ARTICLE II.

(1) The Covenanting States agree—

(a) to unite and integrate their territories in one State, with a common executive, legislature and judiciary, by the name of "THE UNITED STATE (''RAJ. KWAR''); and

(b) to include in the United State so established, any other State, Taluka or Estate the Ruler or Talukdar of which agrees, with the approval of the Government of India, to the merger of that State, Taluka or Estate in the United State of Kathiawar.

(2) The terms of all the agreements of merger referred to in clause (b) of paragraph (1) of this Article shall be binding on the United State and shall be deemed to be part of this Covenant.

ARTICLE III.

(1) There shall be a Council of the Rulers of the Covenanting Salute States.

(2) There shall be a Presidium consisting of five members, each of whom shall be the Ruler of a Covenanting State and shall be not less than 21 years of age.

(3) Subject to the condition mentioned in paragraph (2) of this Article, the Rulers of Nawanagar and Bhavnagar shall be permanent members of the Presidium, one member shall be elected from among themselves by the Rulers of the Covenanting Non-Salute States, and the other members shall be elected from among themselves by the members of the Council of Rulers other than Nawanagar and Bhavnagar.

(4) The Council of Rulers shall elect one member of the Presidium to be the President, and another to be the Vice-President of the Presidium, and the President so elected shall be the RAJ PRAMUKH of the United State.

(5) A Ruler elected as a member of the Presidium in pursuance of paragraph (3), or as the President or the Vice-President of the Presidium in pursuance of paragraph (4), of this Article shall be entitled to hold office

as such member, President or Vice-President, as the case may be, for a term of five years from the date on which he enters upon the duties of that office.

(6) Notwithstanding anything to the contrary contained in the preceding paragraphs of this Article—

- (a) the present Rulers of Nawanaigar and Bhavnagar, having been elected President and Vice-President, respectively, of the Presidium by the Rulers concerned on the 17th January, 1948, shall be the first President and Vice-President, respectively, of the Presidium;
- (b) the present Rulers of Dhrangadhra, Palitana and Kotda-Sangani, having been elected members of the Presidium by the Rulers concerned on the 17th and 21st January, 1948, shall be the first elected members of the Presidium; and
- (c) the said President, Vice-President and members of the Presidium shall, for the purposes of paragraph (5) of this Article, be deemed to have entered upon the duties of their respective offices on the 1st February, 1948.

ARTICLE IV.

(1) The Raj Pramukh shall be entitled to the same salary, allowances, and other amenities enabling him to discharge conveniently and with dignity the duties of his office, as the Governor of Bombay is entitled to on the 20th January, 1948.

(2) If the Raj Pramukh is by reason of absence or illness, or for any other reason, unable to perform the duties of his office, those duties shall, until he has resumed them, be performed by the Vice-President of the Presidium. During such period the Vice-President shall be entitled to the same salary, allowances and other amenities as the Raj Pramukh.

ARTICLE V.

(1) There shall be a Council of Ministers to aid and advise the Raj Pramukh in the exercise of his functions except those under paragraph (2) of Article VII.

(2) The Ministers shall be chosen by, and shall hold office during the pleasure of, the Raj Pramukh.

(3) For the purpose of choosing the first Council of Ministers the Raj Pramukh shall convene, not later than the 20th February, 1948, a meeting of the members of the Electoral College of Kathiawar (formed for electing representatives to the Constituent Assembly of India) but excluding the members from the States of Cutch, Idar and Radhanpur.

ARTICLE VI.

(1) The Ruler of each Covenanting State shall, as soon as may be practicable, and in any event not later than the 15th April, 1948, make over the administration of his State to the Raj Pramukh; and thereupon—

- (a) all rights, authority and jurisdiction belonging to the Ruler which appertain, or are incidental, to the government of the Covenanting State shall vest in the United State of Kathiawar, and shall thereafter be exercisable only as provided by this Covenant or by the Constitution to be framed thereunder;

(b) all duties and obligations of the Ruler pertaining or incidental to the government of the Covenanting State shall devolve on the United State of Kathiawar and shall be discharged by it; and

(c) all the assets and liabilities of the Covenanting State shall be the assets and liabilities of the United State of Kathiawar.

(2) When in pursuance of any such agreement of merger as is referred to in clause (b) of paragraph (1) of Article II the administration of any other State, Taluka or Estate is handed over to the Raj Pramukh, the provisions of clauses (a) and (b) of paragraph (1) of this Article, and in the case of a State, the provisions also of clause (c) thereof, shall apply in relation to such State, Taluka or Estate as they apply in relation to a Covenanting State, with the modification that in relation to a Taluka or Estate, the references in the said clauses to the Ruler shall be construed as references to the Talukdar.

ARTICLE VII.

(1) The military forces, if any, of each Covenanting State shall, as from the date on which the administration of such State is made over to the Raj Pramukh, become the military forces of the United State of Kathiawar.

(2) Subject to any directions or instructions that may from time to time be given by the Government of India in this behalf, the authority to raise, maintain and administer the military forces of the United State shall vest exclusively in the Raj Pramukh.

Provided that nothing in this Article shall be deemed to prevent the Raj Pramukh from consulting the Presidium or the Council of Ministers in regard to any of the said matters.

ARTICLE VIII.

Subject to the provisions of this Covenant and of the Constitution to be framed thereunder, the executive authority of the United State shall be exercised by the Raj Pramukh either directly or through officers subordinate to him; but nothing in this Article shall prevent any competent legislature of the United State from conferring functions upon subordinate authorities, or be deemed to transfer to the Raj Pramukh any functions conferred by any existing law on any court, judge, officer or local authority in a Covenanting State.

ARTICLE IX.

(1) There shall be formed, as soon as may be practicable, a Kathiawar Constituent Assembly in the manner indicated in Schedule II.

(2) It shall be the duty of the said Assembly to frame a Constitution for the United State (whether of a unitary or federal type) within the framework of this Covenant and the Constitution of India, and providing for a government responsible to the legislature.

(3) Until a Constitution so framed comes into operation after receiving the assent of the Raj Pramukh, the legislative authority of the United State shall vest in the Raj Pramukh, who may make and promulgate Ordinances for the peace and good government of the State or any part thereof, and any Ordinance so made shall have the like force of law as an Act passed by the legislature of the State.

ARTICLE X.

(1) The Ruler of each Covenanting State shall be entitled to receive annually from the revenues of the United State for his privy purse, the amount specified against that Covenanting State in Schedule I.

(2) The said amount is intended to cover all the expenses of the Ruler and his family including expenses on account of his personal staff, maintenance of his residences, marriages and other ceremonies, etc., and shall neither be increased nor reduced for any reason whatsoever.

(3) The Raj Pramukh shall cause the said amount to be paid to the Ruler in four equal instalments at the beginning of each quarter in advance.

(4) The said amount shall be free of all taxes, whether imposed by the Government of the United State of Kathiawar or by the Government of India.

ARTICLE XI.

(1) The Ruler of each Covenanting State shall be entitled to the full ownership, use and enjoyment of all private properties (as distinct from State properties) belonging to him on the date of his making over the administration of that State to the Raj Pramukh.

(2) He shall furnish to the Raj Pramukh within one month of the said date, an inventory of all the immovable properties, securities and cash balances held by him as such private property.

(3) If any dispute arises as to whether any item of property is the private property of the Ruler or State property, it shall be referred to such person as the Government of India may nominate, and the decision of that person shall be final and binding on all parties concerned.

ARTICLE XII.

The Ruler of each Covenanting State, as also the members of his family shall be entitled to all the personal privileges, dignities and titles enjoyed by them, whether within or outside the territories of the State, immediately before the 15th day of August, 1947.

ARTICLE XIII.

(1) The succession, to w and custom, to the *gaddi* of each Covenanting State, and rights, privileges, dignities and titles of the Ruler thereof, is hereby guaranteed.

(2) Every question of disputed succession in regard to a Covenanting Salute State shall be decided by the Council of Rulers after referring it to the High Court of Kathiawar and in accordance with the opinion given by that High Court.

ARTICLE XIV.

No enquiry shall be made by or under the authority of the State of Kathiawar, and no proceedings shall lie in any court in that State, against the Ruler of any Covenanting State, whether in a personal capacity or otherwise, in respect of anything done or omitted to be done by him or under his authority during the period of his administration of that State.

ARTICLE XV.

The Government of Kathiawar shall, in consultation with the Government of India and the Government of Bombay, take all steps necessary to set up a Joint Advisory Council, consisting of Ministers of Kathiawar and Ministers of the Province of Bombay, for investigating and discussing subjects of common concern and making recommendations thereon, and in particular recommendations for the better co-ordination of policy and action with respect to any such subject.

ARTICLE XVI.

(1) The United State of Kathiawar hereby guarantees either the continuance in service of the permanent members of the public services of each of the Covenanting States on conditions which will be not less advantageous than those on which they were serving before the date on which the administration of that State is made over to the Raj Pramukh or the payment of reasonable compensation.

(2) The United State of Kathiawar further guarantees the continuance of pensions and leave salaries sanctioned by competent authorities in any of the Covenanting States to members of the public services of that State who have retired, or proceeded on leave preparatory to retirement, before the date referred to in paragraph (1) of this article.

(3) The provisions of paragraphs (1) and (2) of this Article shall apply also in relation to the public services of any other State in Kathiawar merging in the United State of Kathiawar; and the provisions of paragraph (1) shall apply also in relation to any staff of the Regional Commissioner, Western India and Gujarat States, which may be transferred to the service of the United State of Kathiawar.

ARTICLE XVII.

Except with the previous sanction of the Raj Pramukh, no proceedings, civil or criminal, shall be instituted against any person in respect of any act done or purporting to be done in the execution of his duty as a servant of any Covenanting State before the date on which the administration thereof is made over to the Raj Pramukh. .

ARTICLE XVIII.

Nothing in this Covenant shall be deemed to prevent the Government of Kathiawar from negotiating a Union of Kathiawar with other Gujarati-speaking areas on such terms and conditions as may be agreed to by the Council of Rulers, as well as the Council of Ministers, of Kathiawar.

SCHEDULE I.

Covenanting States and Privy Purse Amounts.

PART A. SALUTE STATES.

				Rs.
1. Nawanagar	...	...	...	10,00,000
2. Bhavnagar	...	...	...	10,00,000
3. Porbandar	...	...	...	3,80,000
4. Dhrangadhra	...	...	...	3,80,000
5. Morvi ...	...	...	...	8,00,000
6. Gondal	...	...	...	8,00,000
7. Jafrabad	...	...	...	16,000
8. Wankaner	...	...	...	1,80,000
9. Palitana	...	...	...	1,80,000
10. Dhrol	...	...	...	1,10,000
11. Limbdi	...	...	...	1,95,000
12. Rajkot	...	...	...	2,85,000
13. Wadhwan	...	...	...	1,42,000

PART B. NON-SALUTE STATES.

				Rs.
1. Lakhtar	..	..	.	91,000
2. Nayla ...	...	...	...	62,500
3. Chuda ...	...	...	...	51,250
4. Vala ..	...	.	...	88,750
5. Jasdan	..		...	1,50,000
6. Amarnagar Thana Devli	...	...	...	1,00,000
7. Vadia	...	...	...	78,250
8. Lathi ...	...	...	...	77,500
9. Muli ...	...	...	...	-
10. Bajana	...	...	...	65,500
11. Virpur	.	...	...	44,500
12. Maliya	...	...	...	47,500
13. Kotda-Sangani	...	...	..	67,000
14. Jetpur ..	...	.	...	1,00,000
15. Bilkha	...	...	...	1,10,000
16. Patdi ...	...	...	...	20,000
17. Khirasra	...	...	...	30,000

SCHEDULE II.

Provisions relating to the Kathiawar Constituent Assembly.

1. The Assembly shall consist of not more than forty-five elected representatives of the people of the United State of Kathiawar on the basis of one representative for approximately one lakh of the population:

Provided that the people of each Covenanting Salute State shall, irrespective of their number, be entitled to elect at least one representative.

2. The United State of Kathiawar shall be divided into territorial constituencies and the total number of seats shall be distributed among them by assigning to each constituency one or two seats as may be convenient. As far as possible the constituencies shall be so delimited as not to cut across the boundaries of any compact part of a Covenanting State.

3. The qualifications for membership of the Assembly and for being included in the electoral rolls shall be similar to those prescribed in relation to the Provincial Legislative Assembly of Bombay, subject to necessary modifications:

Provided that no person shall be disqualified either from being chosen as, or from being, a member of the Assembly or from being included in the electoral roll of a constituency, merely because he is the Ruler of a Covenanting or other State, or the Talukdar of a Taluka or Estate.

4. An order shall in due course be made and proclaimed by the Raj Pramukh providing, consistently with the foregoing provisions of this Schedule, for—

- (a) the delimitation of constituencies;
- (b) the preparation of electoral rolls;
- (c) the qualifications for membership of the Assembly;
- (d) the qualifications entitling persons to vote in the elections;
- (e) conduct of the elections, including bye-elections for the filling of casual vacancies;
- (f) corrupt practices at or in connection with such elections; and
- (g) the decision of doubts and disputes arising out of or in connection with such elections.

In confirmation of the above Covenant we append our signatures, on behalf of ourselves, our heirs and successors.

(Sd.) Rulers of the Covenanting States.

The Government of India hereby concur in the above Covenant and guarantee all its provisions. In confirmation whereof Mr. Vapal Pangunni Menon, Secretary to the Government of India in the Ministry of States, appends his signature on behalf and with the authority of the Government of India.

(Sd.) V. P. Menon.

*Secretary to the Government of India,
Ministry of States.*

APPENDIX XIII.

THE COVENANT

entered into by the Rulers of Alwar, Bharatpur, Dholpur and Karauli for the formation of

THE UNITED STATE OF MATSYA.

We, the Rulers of Alwar, Bharatpur, Dholpur and Karauli:

BEING CONVINCED that the welfare of our people can best be secured by the integration of the territories of our four States in one State, with a common Executive, Legislature and Judiciary;

AND HAVING resolved to entrust to a Constituent Assembly consisting of elected representatives of the people the drawing up of a democratic Constitution for that State within the framework of the Constitution of India to which we have already acceded, and of this Covenant;

Do HEREBY, with the concurrence and guarantee of the Government of India, enter into the following Covenant:—

ARTICLE I.

In this Covenant,—

(a) "Covenanting State" means any of the said four States of Alwar, Bharatpur, Dholpur and Karauli; and

(b) unless there is anything repugnant in the subject or context, references to the Ruler of a State, include any person or persons for the time being exercising the powers of the Ruler, whether by reason of his minority or for any other reason.

ARTICLE II.

(1) The Covenanting States agree to unite and integrate their territories in one State, with a common Executive, Legislature and Judiciary, by the name of "THE UNITED STATE OF MATSYA".

(2) The said State is hereafter in this Covenant referred to as "the United State".

ARTICLE III.

(1) There shall be a Council of Rulers consisting of the Rulers of all the Covenanting States:

Provided that no Ruler who is less than 21 years of age shall be a member of the Council.

(2) The Council shall elect at a meeting one of its members to be the President, and another to be the Vice-President, of the Council; and the President so elected shall be the RAJ PRAMUKH of the United State.

(3) For the purposes of the elections referred to in paragraph (2), the Rulers of Alwar, Bharatpur, Dholpur and Karauli, shall have 6 votes, 4 votes, 2 votes and 1 vote respectively.

(4) A Ruler elected as the President or the Vice-President of the Council shall be entitled to hold office as such President or Vice-President for a term of five years from the date on which he enters on the duties of that office.

Notwithstanding anything contained in the preceding paragraphs of this Article—

(a) The present Rulers of Dholpur and Alwar, having been elected President and Vice-President respectively, of the Council by the Rulers of all the Covenanting States on the 27th February 1948, shall be the first President and Vice-President respectively of the Council of Rulers; and

(b) the said President and Vice-President shall, for the purposes of paragraph (4) of this Article, be deemed to have entered upon the duties of their respective offices on the.....1948.

ARTICLE IV.

(1) There shall be paid to the Raj Pramukh from the revenues of the United State a sum of.....rupees per year as consolidated allowance in order that he may be enabled to discharge conveniently and with dignity the duties of his office.

(2) If the Raj Pramukh is by reason of absence or illness or for any other reason, unable to perform the duties of his office, those duties shall, until he has resumed them, be performed by the Vice-President of the Council of Rulers.

ARTICLE V.

(1) There shall be a Council of Ministers to aid and advise the Raj Pramukh in the exercise of his functions except those under paragraph (2) of Article VII.

(2) The Ministers shall be chosen by and shall hold office during the pleasure of the Raj Pramukh.

ARTICLE VI.

(1) The Ruler of each Covenanting State shall, as soon as may be practicable, and in any event not later than the 15th March 1948, make over the administration of his State to the Raj Pramukh; and thereupon—

(a) all rights, authority and jurisdiction belonging to the Ruler which appertain or are incidental to the government of the Covenanting State shall vest in the United State and shall hereafter be exercisable only as provided by this Covenant or by the Constitution to be framed thereunder;

- (b) all duties and obligations of the Ruler pertaining or incidental to the Government of the Covenanting State shall devolve on the United State and shall be discharged by it; and
- (c) all the assets and liabilities of the Covenanting State shall be the assets and liabilities of the United State.

ARTICLE VII.

(1) The Military Forces, if any, of each Covenanting State shall, as from the date on which the administration of such State is made over to the Raj Pramukh, become the military forces of the United State.

(2) Subject to any directions or instructions that may from time to time be given by the Government of India in this behalf, the authority to raise, maintain and administer the military forces of the United State shall vest exclusively in the Raj Pramukh;

Provided that nothing in this Article shall be deemed to prevent the Raj Pramukh from consulting the Council of Ministers in regard to any of the said matters.

ARTICLE VIII.

Subject to the provisions of this Covenant and of the Constitution to be framed thereunder, the executive authority of the United State shall be exercised by the Raj Pramukh either directly or through officers subordinate to him; but nothing in this Article shall prevent any competent legislature of the United State from conferring functions upon subordinate authorities or be deemed to transfer to the Raj Pramukh any functions conferred by any existing law on any court, judge, officer or local authority in a Covenanting State.

ARTICLE IX.

(1) There shall be formed, as soon as may be practicable, a Constituent Assembly in the manner indicated in Schedule II.

(2) It shall be the duty of the said Assembly to frame a Constitution for the United State within the framework of this Covenant and the Constitution of India, and providing for a government responsible to the legislature.

(3) Until a Constitution so framed comes into operation after receiving the assent of the Raj Pramukh, the Legislative authority of the United State shall vest in the Raj Pramukh, who may make and promulgate Ordinances for the peace and good government of the United State or any part thereof, and any Ordinance so made shall have the like force of law as an Act passed by the Legislature of the United State.

ARTICLE X.

(1) The Ruler of each Covenanting State shall be entitled to receive annually from the revenues of the United State for his privy purse the amount specified against that Covenanting State in Schedule I.

(2) The said amount is intended to cover all the expenses of the Ruler and his family including expenses of his residences, marriages and other ceremonies, etc., and shall neither be increased nor reduced for any reason whatsoever.

(3) The Raj Pramukh shall cause the said amount to be paid to the Ruler in four equal instalments at the beginning of each quarter in advance.

(4) The said amount shall be free of all taxes, whether imposed by the Government of the United State or by the Government of India.

ARTICLE XI.

(1) The Ruler of each Covenanting State shall be entitled to the full ownership, use and enjoyment of all private properties (as distinct from State properties) belonging to him on the date of his making over the administration of that State to the Raj Pramukh.

(2) He shall furnish to the Raj Pramukh before the 1st May 1948 an inventory of all the immovable properties, securities and cash balances held by him as such private property.

(3) If any dispute arises as to whether any item of property is the private property of the Ruler or State property, it shall be referred to such person as the Government of India may nominate, and the decision of that person shall be final and binding on all parties concerned.

ARTICLE XII.

The Ruler of each Covenanting State, as also the members of his family, shall be entitled to all the personal privileges, dignities and titles enjoyed by them, whether within or outside the territories of the State, immediately before the 15th day of August, 1947.

ARTICLE XIII.

(1) The succession, according to law and custom, to the *gaddi* of each Covenanting State, and to the personal rights, privileges, dignities and titles of the Ruler thereof, is hereby guaranteed.

(2) Every question of disputed succession in regard to a Covenanting State shall be decided by the Council of Rulers after referring it to the High Court of the United State and in accordance with the opinion given by that High Court.

ARTICLE XIV.

No enquiry shall be made by or under the authority of the United State; and no proceedings shall lie in any court in the United State, against the Ruler of any Covenanting State, whether in a personal capacity or otherwise, in respect of anything done or omitted to be done by him under his authority during the period of his administration of that Covenanting State.

ARTICLE XV.

(1) The United State hereby guarantees either the continuance in service of the permanent members of the public services of each of the Covenanting States on conditions which will be not less advantageous than those on which they were serving on the 1st February 1948 or the payment of reasonable compensation.

(2) The United State further guarantees the continuance of pensions and leave salaries sanctioned by competent authorities in any of the Covenanting States to members of the public services of that State who have retired, or proceeded on leave preparatory to retirement, before the date referred to in paragraph (1) of this Article.

ARTICLE XVI.

Except with the previous sanction of the Raj Pramukh, no proceedings, civil or criminal, shall be instituted against any person in respect of any act done or purporting to be done in the execution of his duty as a servant of any Covenanting State before the date on which the administration thereof is made over to the Raj Pramukh.

SCHEDULE I.

COVENANTING STATES AND PRIVY PURSE AMOUNTS.

1. Alwar.
2. Bharatpur.
3. Dholpur.
4. Karauli.

Rs.

SCHEDULE II.

PROVISIONS RELATING TO THE MATSYA CONSTITUENT ASSEMBLY.

1. The Assembly shall consist of not more than twenty elected representatives of the people of the United State on the basis of one representative for approximately one lakh of the population, and not more than three other persons nominated by the Raj Pramukh to represent special interests.

2. The United State shall be divided into territorial constituencies, and the total number of seats shall be distributed among them by assigning to each constituency one or two seats as may be convenient.

3. The qualifications for membership of the Assembly and for being included in the electoral rolls shall be similar to those prescribed in relation to the Provincial Legislative Assembly of the United Provinces, subject to necessary modifications.

4. An Order shall in due course be made and proclaimed by the Raj Pramukh providing, consistently with the foregoing provisions of this Schedule, for—

- (a) the delimitation of constituencies;
- (b) the preparation of electoral rolls;
- (c) the qualifications for membership of the Assembly;
- (d) the qualifications entitling persons to vote in the elections;
- (e) conduct of the elections, including bye-elections for the filling of casual vacancies;
- (f) corrupt practices at or in connection with such elections; and
- (g) the decision of doubts and disputes arising out of or in connection with such elections.

In confirmation of the above Covenant we append our signatures, on behalf of ourselves, our heirs and successors.

(Sd.) Rulers of the Covenanted States.

The Government of India hereby concur in the above Covenant and guarantee all its provisions. In confirmation whereof Mr. Vapal Pangunni Menon, Secretary to the Government of India in the Ministry of States, appends his signature on behalf and with the authority of the Government of India.

(Sd.) V. P. Menon.

Secretary to the Govt. of India, Ministry of States.

28th February, 1948.

APPENDIX XIV.

THE COVENANT

entered into by the Rulers of certain States in Bundelkhand and Baghelkhand for the formation of

THE UNITED STATE OF VINDHYAPRADESH.

WE, the Rulers of certain States in Bundelkhand and Baghelkhand: BEING CONVINCED that the welfare of the people of this region can best be secured by the establishment of a State comprising the territories of the numerous States in this region, with a common Executive, Legislature and Judiciary;

AND HAVING resolved to entrust to a Constituent Assembly consisting of elected representatives of the people the drawing up of a democratic Constitution for that State within the framework of the Constitution of India to which we have already acceded, and of this Covenant;

Do HEREBY, with the concurrence and guarantee of the Government of India, enter into the following COVENANT—

ARTICLE I.

In this Covenant,—

- (a) "Covenanting State" means any of the States mentioned in Schedule I the Ruler of which has, whether by himself or by a duly authorised representative, signed this Covenant;
- (b) "Covenanting Salute State" means any Covenanting State which is mentioned in Part A of Schedule I;
- (c) "Covenanting Non-Salute State" means any Covenanting State which is mentioned in Part B of Schedule I; and
- (d) Unless there is anything repugnant in the subject or context, references to the Ruler of a State, include any person or persons for the time being exercising the powers of the Ruler, whether by reason of his minority or for any other reason

ARTICLE II.

(1) The Covenanting States agree to unite and integrate their territories in one State, with a common executive, legislature and judiciary, by the name of "THE UNITED STATE OF VINDHYAPRADESH".

(2) The said State is hereafter in this Covenant referred to as "the United State".

ARTICLE III.

(1) There shall be a Council of Rulers consisting of the Rulers of the Covenanting Salute States, the Rulers of Sarila, Alipura, Sohawal and Kothi, and two Rulers to be elected from among themselves by the rest of the Rulers of the Covenanting Non-Salute States.

Provided that no Ruler who is less than 21 years of age shall be a member of the Council.

(2) The Council shall elect at a meeting one of its members to be the President, and another to be the Vice-President, of the Council; and the President so elected shall be the Raj Pramukh of the United State.

(3) For the purposes of the elections referred to in paragraph (2) the Ruler of Rewa shall have fifteen votes and the other members of the Council of Rulers one vote each.

(4) A Ruler elected as the President or the Vice-President of the Council shall be entitled to hold office as such President or Vice-President for a term of five years from the date on which he enters upon the duties of that office.

(5) Notwithstanding anything contained in the preceding paragraphs of this Article, the present Rulers of Rewa and Panna shall be deemed to have been elected as the first President and Vice-President respectively of the Council of Rulers and shall be deemed to have entered upon the duties of their respective offices on the 2nd day of April 1948.

ARTICLE IV.

(1) There shall be paid to the Raj Pramukh from the revenues of the United State a sum of sixty thousand rupees per year as consolidated allowance in order that he may be enabled to discharge conveniently and with dignity the duties of his office.

(2) If the Raj Pramukh is by reason of absence or illness, or for any other reason, unable to perform the duties of his office, those duties shall, until he has resumed them, be performed by the Vice-President. During such period the Vice-President shall be entitled to the same consolidated allowance as the Raj Pramukh.

ARTICLE V.

(1) There shall be a Council of Ministers to aid and advise the Raj Pramukh in the exercise of his functions except those under paragraph (2) of Article VII.

(2) The Ministers shall be chosen by, and shall hold office during the pleasure of, the Raj Pramukh.

ARTICLE VI.

(1) The Ruler of each Covenanting State shall, as soon as may be practicable, and in any event not later than the 1st of May 1948 make over the administration of his State to the Raj Pramukh; and thereupon—

(a) all rights, authority and jurisdiction belonging to the Ruler which appertain, or are incidental, to the government of the Covenanting State shall vest in the United State and shall hereafter be exercisable only as provided by this Covenant or by the Constitution to be framed thereunder;

(b) all duties and obligations of the Ruler pertaining or incidental to the government of the Covenanting State shall devolve on the United State and shall be discharged by it; and

(c) all the assets and liabilities of the Covenanting State shall be the assets and liabilities of the United State.

ARTICLE VII.

(1) The military forces, if any, of each Covenanting State shall, as from the date on which the administration of such State is made over to the Raj Pramukh, become the military forces of the United State.

(2) Subject to any directions or instructions that may from time to time be given by the Government of India in this behalf, the authority to raise, maintain and administer the military forces of the United State shall vest exclusively in the Raj Pramukh;

Provided that nothing in this Article shall be deemed to prevent the Raj Pramukh from consulting the Council of Ministers in regard to any of the said matters.

ARTICLE VIII.

Subject to the provisions of this Covenant and of the Constitution to be framed thereunder, the executive authority of the United State shall be exercised by the Raj Pramukh either directly or through officers subordinate to him; but nothing in this Article shall prevent any competent legislature of the United State from conferring functions upon subordinate authorities or be deemed to transfer to the Raj Pramukh any functions conferred by any existing law on any court, judge, officer or local authority in a Covenanting State.

ARTICLE IX.

(1) There shall be formed, as soon as may be practicable, a Constituent Assembly in the manner indicated in Schedule II.

(2) It shall be the duty of the said Assembly to frame a Constitution (whether of a unitary or federal type) for the United State within the framework of this Covenant and the Constitution of India, and providing for a government responsible to the legislature.

(3) Until a Constitution so framed comes into operation after receiving the assent of the Raj Pramukh, the legislative authority of the United State shall vest in the Raj Pramukh, who may make and promulgate Ordinances for the peace and good government of the United State or any part thereof, and any Ordinance so made shall have the like force of law as an Act passed by the legislature of the United State.

ARTICLE X.

(1) The Ruler of each Covenanting State shall be entitled to receive annually from the revenues of the United State for his privy purse, the amount specified against that Covenanting State in Schedule I.

(2) The said amount is intended to cover all the expenses of the Ruler and his family including expenses on account of his personal staff, maintenance of his residences, marriages and other ceremonies, etc., and shall neither be increased nor reduced for any reason whatsoever.

(3) The Raj Pramukh shall cause the said amount to be paid to the Ruler in four equal instalments at the beginning of each quarter in advance.

(4) The said amount shall be free of all taxes, whether imposed by the Government of the United State or by the Government of India.

ARTICLE XI.

(1) The Ruler of each Covenanting State shall be entitled to the full ownership, use and enjoyment of all private properties (as distinct from State properties) belonging to him on the date of his making over the administration of that State to the Raj Pramukh.

(2) He shall furnish to the Raj Pramukh before the 1st May 1948 an inventory of all the immovable properties, securities and cash balances held by him as such private property.

(3) If any dispute arises as to whether any item of property is the private property of the Ruler or State property, it shall be referred to a Judicial Officer to be nominated by the Government of India, and the decision of that person shall be final and binding on all parties concerned.

ARTICLE XII.

The Ruler of each Covenanting State, as also the members of his family shall be entitled to all the personal privileges, dignities and titles enjoyed by them, whether within or outside the territories of the State, immediately before the 15th day of August, 1947.

ARTICLE XIII.

(1) The succession, according to law and custom, to the *gaddi* of each Covenanting State, and to the personal rights, privileges, dignities and titles of the Ruler thereof, is hereby guaranteed.

(2) Every question of disputed succession in regard to a Covenanting State shall be decided by the Council of Rulers after referring it to the High Court of the United State and in accordance with the opinion given by that High Court.

ARTICLE XIV.

No enquiry shall be made by or under the authority of the United State; and no proceedings shall lie in any court in the United State, against the Ruler of any Covenanting State, whether in a personal capacity or otherwise, in respect of anything done or omitted to be done by him or under his authority during the period of his administration of that Covenanting State.

ARTICLE XV.

(1) The United State hereby guarantees either the continuance in service of the permanent members of the public services of each of the Covenanting States on conditions which will be not less advantageous than those on which they were serving on the 1st February 1943 or the payment of reasonable compensation.

(2) The United State further guarantees the continuance of pensions and leave salaries sanctioned by competent authorities in any of the Covenanting States to members of the public services of that State who have retired, or proceeded on leave preparatory to retirement, before the date referred to in paragraph (1) of this Article.

ARTICLE XVI.

Except with the previous sanction of the Raj Pramukh, no proceedings, civil or criminal, shall be instituted against any person in respect of any act done or purporting to be done in the execution of his duty as a servant of any Covenanting State before the date on which the administration thereof is made over to the Raj Pramukh.

ARTICLE XVII.

Notwithstanding anything contained in this Covenant, if three-fourths of the representatives of Rewa State in the Constituent Assembly vote in favour of opting out of the Union, this Covenant, in so far as it affects that State, will not be operative. If this option is not exercised within one month from the date of the first meeting of the Constituent Assembly the provisions of this Article will be inoperative.

SCHEDULE I.

COVENANTING STATES AND PRIVY PURSE AMOUNTS.

PART A.—SALUTE STATES.

				Rs.
1.	Ajaigarh ...	...	...	74,700
2.	Baoni ...	..	...	46,850
3.	Baraundha	...	..	14,500
4.	Bijawar ...	..	...	70,700
5.	Chhatarpur.	...	...	1,00,350
6.	Charkhari	...	...	95,900
7.	Datia ...	...	...	1,54,300
8.	Maihar ...	...	...	56,500
9.	Nagod ...	...	...	55,400
10.	Orechha ...	...	...	1,85,300
11.	Panna ...	...	...	1,47,300
12.	Rewa ...	...	...	10,00,000
13.	Samthar ...	...	...	51,800

PART B - NON SALUTE STATES.

				Rs.
1.	Alipura ..	...	...	28,150
2.	Banka Pahari ..	..	..	3,000
3.	Beri ..	..	..	7,750
4.	Bhaisaunda ..	..	..	5,600
5.	Bihat ..	..	..	5,600
6.	Rijna ..	..	..	3,000
7.	Bhurwai ..	..	..	5,000
8.	Garrauli ..	..	..	10,150
9.	Gaurihar...	..	..	15,000
10.	Jaso ..	..	..	8,600
11.	Jigni ..	..	..	5,950
12.	Kamra Rajaula ..	..	..	5,000
13.	Khaniadhana ..	..	..	15,600
14.	Kothi ..	..	..	15,400
15.	Lugasi ..	..	..	10,100
16.	Naigawan Rebn ..	..	..	5,000
17.	Pahra ..	..	..	5,300
18.	Paldeo (Nayagaon) ..	..	..	10,400
19.	Sarila ..	..	..	18,650
20.	Sohawal ..	..	..	25,900
21.	Taraon ..	..	..	5,850
22.	Tori Fatehpur ..	..	..	7,000

SCHEDULE II.

PROVISIONS RELATING TO THE VINDHYAPRADESH CONSTITUENT ASSEMBLY.

1. The Assembly shall consist of not more than thirty-six elected representatives of the people of the United State on the basis of one representative for approximately one lakh of the population.

2. The United State shall be divided into territorial constituencies, and the total number of seats shall be distributed among them by assigning to each constituency one or two seats as may be convenient. As far as possible the constituencies shall be so delimited as not to cut across the boundaries of any compact part of a Covenanting State.

3. The qualifications for membership of the Assembly and for being included in the electoral rolls shall be similar to those prescribed in relation to the Provincial Legislative Assembly of the United Provinces, subject to necessary modifications.

4. An order shall in due course be made and proclaimed by the Raj Pramukh providing, consistently with the foregoing provisions of this Schedule, for—

- (a) the delimitation of constituencies;
- (b) the preparation of electoral rolls;
- (c) the qualifications for membership of the Assembly;
- (d) the qualifications entitling persons to vote in the elections;
- (e) conduct of the elections, including bye-elections for the filling of casual vacancies;

- (f) corrupt practices at or in connection with such elections; and
 (g) the decision of doubts and disputes arising out of or in connection with such elections.
-

In confirmation of the above Covenant we append our signatures, on behalf of ourselves, our heirs and successors.

(Sd.) Rulers of the Covenanting States.

The Government of India hereby concur in the above Covenant and guarantee all its provisions. In confirmation whereof Mr. Vapal Pangunni Menon, Secretary to the Government of India in the Ministry of States, appends his signature on behalf, and with the authority of, the Government of India.

*(Sd.) V. P. Menon,
 Secretary to the Government of India,
 Ministry of States.*

APPENDIX XV.

THE COVENANT.

entered into by the Rulers of Banswara, Bundi, Dungarpur, Jhalawar, Kishengarh, Kotah, Mewar, Partabgarh, Shahpura and Tonk for the reconstitution of

THE UNITED STATE OF RAJASTHAN.

WHEREAS by a Covenant entered into by the Rulers of Banswara, Bundi, Dungarpur, Jhalawar, Kishengarh, Kotah, Partabgarh, Shahpura and Tonk it has been agreed that the territories of the said nine States should be integrated into one State by the name of the United State of Rajasthan.

AND WHEREAS it has been agreed between the Rulers of the said nine States and the Ruler of Mewar that the said United State of Rajasthan should be re-constituted by the integration of the territories of all the ten States.

The Rulers aforesaid do hereby, in supersession of the said Covenant and with the concurrence and guarantee of the Government of India, enter into this Covenant:—

ARTICLE I.

In this Covenant.—

- (a) "Covenanting State" means any of the said ten States of Banswara, Bundi, Dungarpur, Jhalawar, Kishengarh, Kotah, Mewar, Partabgarh, Shahpura and Tonk; and
- (b) unless there is anything repugnant in the subject or context, references to the Ruler of a State include any person or persons for the time being exercising the powers of the Ruler, whether by reason of his minority or for any other reason.

ARTICLE II.

(1) The Covenanting States agree—

- (a) to unite and integrate their territories in one State, with a common executive, legislature and judiciary, by the name of "THE UNITED STATE OF RAJASTHAN", hereinafter referred to as the United State; and
- (b) to include in the United State so established any other State the Ruler of which agrees with the approval of the Government of India to the merger of that State in the United State of Rajasthan.

(2) The terms of any such agreement of merger as is referred to in clause (b) of paragraph (1) of this Article shall be binding on the United State and shall be deemed to be part of this Covenant.

ARTICLE III.

(1) There shall be a Council of Rulers consisting of the Rulers of all the Covenanting States:

Provided that no Ruler who is less than 21 years of age shall be a member of the Council.

(2) The present Rulers of Mewar, Kotah, Bundi and Dungarpur shall, respectively, be the first President, Senior Vice-President and Junior Vice-Presidents of the Council, and shall enter upon the duties of their respective offices on the 18th day of April 1948. The said President shall be entitled to hold office during his life time, and the said Vice-Presidents shall be entitled to hold office for a term of five years from the said date.

(3) Whenever a vacancy occurs or is about to occur in any of the offices referred to in paragraph (2), the Council of Rulers shall elect at a meeting a member to fill that vacancy, and any member so elected shall hold office for a term of five years from the date on which he enters upon the duties thereof.

(4) The Ruler who is for the time being the President of the Council shall be the Raj Pramukh of the United State.

ARTICLE IV.

(1) There shall be paid to the present Raj Pramukh, during his tenure of office, from the revenues of the United State, a sum of rupees five lakhs per year as consolidated allowance in order that he may be enabled to discharge conveniently and with dignity the duties of his office.

(2) If the Raj Pramukh is, by reason of absence or illness or for any other reason unable to perform the duties of his office, those duties shall, until he has resumed them, be performed by the Senior Vice-President of the Council of Rulers. During such period the Senior Vice-President shall be entitled to the same consolidated allowance as the Raj Pramukh.

ARTICLE V.

(1) There shall be a Council of Ministers to aid and advise the Raj Pramukh in the exercise of his functions except those under paragraph (2) of Article VII.

(2) The Ministers shall be chosen by, and shall hold office during the pleasure of, the Raj Pramukh.

ARTICLE VI.

(1) The Ruler of each Covenanting State shall, as soon as practicable and in any event not later than the first day of May 1948, make over the administration of his State to the Raj Pramukh;

And thereupon—

- (a) all rights, authority and jurisdiction belonging to the Ruler which appertain or are incidental to the government of the Covenanting State shall vest in the United State and shall hereafter be exercisable only as provided by this Covenant or by the Constitution to be framed thereunder;
- (b) all duties and obligations of the Ruler pertaining or incidental to the Government of the Covenanting State shall devolve on the United State and shall be discharged by it; and
- (c) all the assets and liabilities of the Covenanting State shall be the assets and liabilities of the United State.

(2) When in pursuance of any such agreement of merger as is referred to in clause (b) of paragraph (1) of Article II the administration of any other State is handed over to the Raj Pramukh, the provisions of clauses (a), (b) and (c) of paragraph (1) of this Article shall apply in relation to such State as they apply in relation to a Covenanting State.

ARTICLE VII.

(1) The military forces, if any, of each Covenanting State shall, as from the date on which the administration of such State is made over to the Raj Pramukh, become the military forces of the United State.

(2) Subject to any directions or instructions that may from time to time be given by the Government of India in this behalf, the authority to raise, maintain and administer the military forces of the United State shall vest exclusively in the Raj Pramukh;

Provided that nothing in this Article shall be deemed to prevent the Raj Pramukh from consulting the Council of Ministers in regard to any of the said matters.

ARTICLE VIII.

The Raj Pramukh shall, as soon as practicable, and in any event not later than the first day of June, 1948, execute on behalf of the United State an Instrument of Accession in accordance with the provisions of Section 6 of the Government of India Act, 1935, and in place of the Instruments of Accession of the several Covenanting States; and he may by such Instrument accept as matters with respect to which the Dominion Legislature may make laws for the United State any matters in addition to those specified in the Instrument of Accession of any of the Covenanting States.

ARTICLE IX.

Subject to the provisions of this Covenant and of the Constitution to be framed thereunder, the executive authority of the United State shall be exercised by the Raj Pramukh either directly or through officers subordinate to him; but nothing in this Article shall prevent any competent legislature of the United State from conferring functions upon subordinate authorities or be deemed to transfer to the Raj Pramukh any functions conferred by any existing law on any court, judge, officer or local authority in a Covenanting State.

ARTICLE X.

(1) There shall be formed, as soon as may be practicable, a Constituent Assembly in the manner indicated in Schedule II.

(2) It shall be the duty of the said Assembly to frame a Constitution for the United State within the framework of this Covenant and the Constitution of India, and providing for a government responsible to the legislature.

(3) Until a Constitution so framed comes into operation after receiving the assent of the Raj Pramukh, the Legislative authority of the United State shall vest in the Raj Pramukh, who may make and promulgate Ordinances for the peace and good government of the United State or any part thereof, and any Ordinance so made shall have the like force of law as an Act passed by the legislature of the United State.

ARTICLE XI.

(1) The Ruler of each Covenanting State shall be entitled to receive annually from the revenues of the United State for his privy purse the amount specified against that Covenanting State in Schedule I.

(2) The said amount is intended to cover all the expenses of the Ruler and his family including expenses of his residences, marriages and other ceremonies, etc., and shall neither be increased nor reduced for any reason whatsoever.

(3) The Raj Pramukh shall cause the said amount to be paid to the Ruler in four equal instalments at the beginning of each quarter in advance.

(4) The said amount shall be free of all taxes, whether imposed by the Government of the United State or by the Government of India.

ARTICLE XII.

(1) The Ruler of each Covenanting State shall be entitled to the full ownership, use and enjoyment of all private properties (as distinct from State properties) belonging to him on the date of his making over the administration of that State to the Raj Pramukh.

(2) He shall furnish to the Raj Pramukh before the 1st May 1948 an inventory of all the immovable properties, securities and cash balances held by him as such private property.

(3) If any dispute arises as to whether any item of property is the private property of the Ruler or State property, it shall be referred to such person as the Government of India may nominate, and the decision of that person shall be final and binding on all parties concerned;

Provided that no such dispute shall be so referable after the first day of May, 1949.

ARTICLE XIII.

The Ruler of each Covenanting State, as also the members of his family, shall be entitled to all the personal privileges, dignities and titles enjoyed by them, whether within or outside the territories of the State, immediately before the 15th August 1947.

ARTICLE XIV.

(1) The succession, according to law and custom, to the *gaddi* of each Covenanting State, and to the personal rights, privileges, dignities and titles of the Ruler thereof, is hereby guaranteed.

(2) Every question of disputed succession in regard to a Covenanting State shall be decided by the Council of Rulers after referring it to the High Court of the United State and in accordance with the opinion given by that High Court.

ARTICLE XV.

No enquiry shall be made by or under the authority of the United State; and no proceedings shall lie in any court in the United State against the Ruler of any Covenanting State, whether in a personal capacity or otherwise, in respect of anything done or omitted to be done by him or under his authority during the period of his administration of that Covenanting State.

ARTICLE XVI.

(1) The United State hereby guarantees either the continuance in service of the permanent members of the public services of each of the Covenanting States on conditions which will be not less advantageous than those on which they were serving on the 1st February 1948 or the payment of reasonable compensation.

(2) The United State further guarantees the continuance of pensions and leave salaries sanctioned by competent authorities in any of the Covenanting States to members of the public services of that State who have retired, or proceeded on leave preparatory to retirement, before the date on which the administration of the State is made over to the Raj Pramukh.

(3) The provisions of paragraphs (1) and (2) of this Article shall apply also in relation to the public services of any other State in Rajputana merging in the United State of Rajasthan.

ARTICLE XVII.

Except with the previous sanction of the Raj Pramukh, no proceedings, civil or criminal, shall be instituted against any person in respect of any act done or purporting to be done in the execution of his duty as a servant of any Covenanting State before the date on which the administration thereof is made over to the Raj Pramukh.

ARTICLE XVIII.

Nothing in this Covenant shall be deemed to prevent the Government of the United State from negotiating a Union of Rajasthan with other States in Rajputana on such terms and conditions as may be agreed to by the Council of Rulers, as well as the Council of Ministers, of Rajasthan.

SCHEDULE I.

COVENANTING STATES AND PRIVY PURSE AMOUNTS

			Rs.
1. Banswara	...	...	1,26,000
2. Bundi	...	...	2,81,000
3. Dungarpur	...	...	1,98,000
4. Jhalawar	...	..	1,36,000
5. Kishengarh	...	...	1,36,000
6. Kotah	...	...	7,00,000
7. Mewar.	...	...	10,00,000
8. Partabgarh	...	...	1,02,000
9. Shahpura	..		90,000
10. Tonk	...	...	2,78,000

SCHEDULE II.

PROVISIONS RELATING TO THE RAJASTHAN CONSTITUENT ASSEMBLY.

1. The Assembly shall consist of not more than 45 elected representatives of the people of the United State on the basis of one representative for approximately one lakh of the population, and not more than six other persons to be nominated by the Raj Pramukh to represent special interests.

2. The United State shall be divided into territorial constituencies, and the total number of elected seats shall be distributed among them by assigning to each constituency one or two seats as may be convenient.

3. The qualifications for membership of the Assembly and for being included in the electoral rolls shall be similar to those prescribed in relation to the Provincial Legislative Assembly of the United Provinces, subject to necessary modifications.

4. An order shall in due course be made and proclaimed by the Raj Pramukh providing, consistently with the foregoing provisions of this Schedule, for—

- (a) the delimitation of constituencies;
 - (b) the preparation of electoral rolls;
 - (c) the qualifications for membership of the Assembly;
 - (d) the qualifications entitling persons to vote in the elections;
 - (e) conduct of the elections, including bye-elections for the filling of casual vacancies;
 - (f) corrupt practices at or in connection with such elections; and
 - (g) the decision of doubts and disputes arising out of or in connection with such elections.
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In confirmation of the above Covenant we append our signatures, on behalf of ourselves, our heirs and successors.

(Sd.) Rulers of the Covenanting States.

The Government of India hereby concur in the above Covenant and guarantee all its provisions. In confirmation whereof Mr. Vapal Pangunni Menon, Secretary to the Government of India in the Ministry of States, appends his signature on behalf and with the authority of the Government of India.

*(Sd.) V. P. MENON,
Secretary to the Government of India,
Ministry of States.*

APPENDIX XVI

THE COVENANT

entered into by the Rulers of Gwalior, Indore and certain other States in Central India for the formation of

THE UNITED STATE OF GWALIOR, INDORE AND MALWA (MADHYA-BHARAT).

We, the Rulers of Gwalior, Indore and certain other States in Central India,

BEING CONVINCED that the welfare of the people of this region can best be secured by the establishment of a State comprising the territories of our respective States, with a common Executive, Legislature and Judiciary;

AND HAVING resolved to entrust to a Constituent Assembly consisting of elected representatives of the people the drawing up of a democratic Constitution for the State within the framework of the Constitution of India, to which we have already acceded, and of this Covenant:

Do HEREBY, with the concurrence and guarantee of the Government of India, enter into the following Covenant:—

ARTICLE I.

In this Covenant—

- (a) "Covenanting State" means any of the States mentioned in Schedule I, the Ruler of which has, whether by himself or by a duly authorised representative, signed this Covenant;
- (b) "Covenanting Major State" means the State of Gwalior or the State of Indore;
- (c) "Covenanting Salute State" means any Covenanting State which is mentioned in Part A of Schedule I;
- (d) "Covenanting Non-Salute State" means any Covenanting State which is mentioned in Part B of Schedule I; and
- (e) unless there is anything repugnant in the subject or context, references to the Ruler of a State include any person or persons for the time being exercising the powers of the Ruler, whether by reason of his minority or for any other reason.

ARTICLE II.

(1) The Covenanting States agree—

- (a) to unite and integrate their territories in one State with a common executive, legislature and judiciary, by the name of 'the United State of Gwalior, Indore and Malwa' (Madhya Bharat), herein-after referred to as "the United State"; and
- (b) to include in the United State any other State the Ruler of which agrees, with the approval of the Government of India, to the merger of his State in the United State.

(2) The terms of all the agreements of merger referred to in clause (b) of paragraph 1 of this Article shall be binding on the United State and shall be deemed to be part of this Covenant.

ARTICLE III

(1) There shall be a Council of Rulers consisting of the Rulers of the Covenanting Salute States, the Ruler of Kurwai and one Ruler to be elected from among themselves by the Rulers of the Covenanting Non-Salute States other than Kurwai.

Provided that no Ruler who is less than 21 years of age shall be a Member of the Council.

(2) The Council of Rulers shall elect at a meeting one member of the Council to be the President, another to be the Senior Vice-President and two others to be Junior Vice-Presidents of the Council; and the President so elected shall be the Raj Pramukh of the United State.

Provided that the Rulers of the Covenanting Major States shall not take part in the voting for the election of either Junior Vice-President.

(3) For the purposes of the elections referred to in the preceding paragraph, every member shall have such number of votes as is equal to the number of lakhs in the population of his State as ascertained at the last preceding census (any fraction more than half a lakh being reckoned as one lakh and any other fraction being ignored), provided that every member shall have at least one vote.

(4) A Ruler elected as the President or as a Vice President of the Council shall be entitled to hold office as such President or Vice-President, as the case may be, for a term of five years from the date on which he enters upon the duties of that office.

(5) Notwithstanding anything contained in the preceding paragraphs of this Article, the present Rulers of Gwalior, Indore, Dhar and Khilchipur shall respectively be the first President, Senior Vice President and Junior Vice-Presidents of the Council of Rulers, and shall enter upon the duties of their respective offices on the 11th day of May 1948; the said President and Senior Vice-President shall be entitled to hold office during their life-time, and the said Junior Vice-Presidents shall be entitled to hold office for a term of five years from the said date.

ARTICLE IV.

(1) There shall be paid to the Raj Pramukh from the revenues of the United State a sum of Rs. 2,50,000 per year as consolidated allowance in order that he may be enabled to discharge conveniently and with dignity the duties of his office.

(2) There shall in each year be paid to the Senior Vice-President from the revenues of the United State a sum of Rs. 2,50,000 as consolidated allowance in order to enable him to discharge conveniently and with dignity the duties of his office.

(3) There shall be paid from time to time to each Junior Vice-President such allowances as the Raj Pramukh may consider appropriate to cover expenses in travelling in the discharge of such official duties as he may be directed to perform by the Raj Pramukh.

(4) If the Raj Pramukh is, by reason of absence or illness or for any other reason, unable to perform the duties of his office, those duties shall, until he has resumed them, be performed by the Senior Vice-President. During such period the Senior Vice-President shall be entitled to the same salary, allowances and other amenities as the Raj Pramukh.

ARTICLE V.

(1) There shall be a Council of Ministers to aid and advise the Raj Pramukh in the exercise of his functions except those under Article VII.

(2) The Ministers shall be chosen by, and shall hold office during the pleasure of, the Raj Pramukh.

ARTICLE VI.

(1) The Ruler of each Covenanting State shall, as soon as may be practicable, and in any event not later than the first day of July 1948, make over the administration of his State to the Raj Pramukh; and thereupon

(a) all rights, authority and jurisdiction belonging to the Ruler which appertain, or are incidental, to the Government of the Covenanting State shall vest in the United State and shall hereafter be exercisable only as provided by this Covenant or by the Constitution to be framed thereunder;

(b) all duties and obligations of the Ruler pertaining or incidental to the Government of the Covenanting State shall devolve on the United State and shall be discharged by it;

(c) all the assets and liabilities of the Covenanting State shall be the assets and liabilities of the United State; and

(d) the military forces, if any, of the Covenanting State shall become the military forces of the United State.

(2) When, in pursuance of any such agreement of merger as is referred to in clause (b) of paragraph (1) of Article II, the administration of any other State is made over to the Raj Pramukh, the provisions of clauses (a), (b), (c) and (d) of paragraph (1) of this Article shall apply in relation to such States as they apply in relation to a Covenanting State.

ARTICLE VII.

(1) In this Article, "scheduled areas" means any of the areas specified in Schedule II:

Provided that the Raj Pramukh may, in consultation with the Government of India, by proclamation direct that the whole or any specified part of a scheduled area shall cease to be a scheduled area or a part of such an area.

(2) Subject to any directions or instructions that may from time to time be given by the Government of India in this behalf, the authority—

(a) to make laws for the peace and good government of any scheduled area,

(b) to raise, maintain and administer the military forces of the United State; and

(c) to control the administration of the fund in Gwalior known as the Gangajali Fund and of any other existing fund of a similar character in any other Covenanting State,

shall vest exclusively in the Raj Pramukh.

(3) Until other provision is made by an Act of the Legislature of the United State the right to resume Jagirs or to recognise the succession, according to law and custom, to the rights and titles of a Jagirdar shall vest exclusively in the Raj Pramukh.

(4) Nothing in the preceding paragraphs of this Article shall be deemed to prevent the Raj Pramukh from consulting the Council of Ministers in regard to any of the matters mentioned therein.

ARTICLE VIII.

The Raj Pramukh shall, as soon as practicable, and in any event not later than the fifteenth day of June 1948, execute on behalf of the United State an Instrument of Accession in accordance with the provisions of Section 6 of the Government of India Act, 1935, and in place of the Instruments of Accession of the several Covenanting States; and he shall by such Instrument accept as matters with respect to which the Dominion Legislature may make laws for the United State all the matters mentioned in List I and List III of the Seventh Schedule to the said Act, except the entries in List I relating to any tax or duty.

ARTICLE IX.

Subject to the provisions of this Covenant and of the Constitution to be framed thereunder the executive authority of the United State shall be exercised by the Raj Pramukh either directly or through officers subordinate to him, but the Raj Pramukh may from time to time consult the Senior Vice-President, in important matters connected with the administration of the United State. Nothing in this Article shall prevent any competent legislature of the United State from conferring functions upon subordinate authorities or be deemed to transfer to the Raj Pramukh any functions conferred by any existing law on any Court, Judge, officer, or local or other authority in a Covenanting State.

ARTICLE X.

(1) There shall be formed, as soon as may be practicable a Constituent Assembly in the manner indicated in Schedule III; and it shall be the duty of that Assembly to frame a constitution of a unitary type for the United State within the framework of this Covenant and the Constitution of India, and providing for a Government responsible to the Legislature.

(2) The Raj Pramukh shall constitute not later than the 1st day of August 1948 an interim Legislative Assembly for the United State in the manner indicated in Schedule IV.

(3) Upon the formation of the Constituent Assembly referred to in paragraph (1) of this Article, the interim Legislative Assembly shall automatically be dissolved, and the legislative authority of the United State shall vest in the Constituent Assembly:

Provided that until a Constitution framed by the Constituent Assembly comes into operation after receiving the assent of the Raj Pramukh, the Raj Pramukh shall have powers to make and promulgate Ordinances for the peace and good government of the United State or any part thereof, and any Ordinance so made shall, for the space of not more than six months from its promulgation have the like force of law as an Act passed by the interim Legislative Assembly, or as the case may be, the Constituent Assembly; but any such Ordinance may be controlled or superseded by any such Act.

ARTICLE XI.

(1) The Ruler of each Covenanting State shall be entitled to receive annually from the revenues of the United State for his privy purse the amount specified against that Covenanting State in Schedule I.

Provided that the sums specified in the Schedule in respect of the Rulers of Gwalior and Indore shall be payable only to the present Rulers of these States and not to their successors for whom provision will be made subsequently.

(2) The said amount is intended to cover all the expenses of the Ruler and his family including expenses of his residences, marriages and other ceremonies, etc., and shall subject to the provisions of paragraph (1) neither be increased nor reduced for any reason whatsoever.

(3) The Raj Pramukh shall cause the said amount to be paid to the Ruler in four equal instalments at the beginning of each quarter in advance.

(4) The said amount shall be free of all taxes, whether imposed by the Government of the United State or by the Government of India.

ARTICLE XII.

(1) The Ruler of each Covenanting State shall be entitled to the full ownership, use and enjoyment of all private properties (as distinct from State properties) belonging to him on the date of his making over the administration of that State to the Raj Pramukh.

(2) He shall furnish to the Raj Pramukh before the first day of August 1948 an inventory of all the immovable properties, securities and cash balances held by him as such private property.

(3) If any dispute arises as to whether any item of property is the private property of the Ruler or State property, it shall be referred to such person as the Government of India may nominate in consultation with the Raj Pramukh and the decision of that person shall be final and binding on all parties concerned.

Provided that no such dispute, shall be so referable after the first day of July 1949.

ARTICLE XIII.

The Ruler of each Covenanting State, as also the members of his family, shall be entitled to all the personal privileges, dignities and titles enjoyed by them, whether within or outside the territories of the State immediately before the 15th day of August 1947.

ARTICLE XIV.

(1) The succession, according to law and custom, to the *gaddi* of each Covenanting State, and to the personal rights, privileges, dignities and titles of the Ruler thereof, is hereby guaranteed.

(2) Every question of disputed succession in regard to a Covenanting State shall be decided by the Council of Rulers after referring it to a bench consisting of all the available Judges of the High Court of the United State and in accordance with the opinion given by that High Court.

ARTICLE XV.

No enquiry shall be made by or under the authority of the United State; and no proceedings shall lie in any court in the United State, against the Ruler of any Covenanting State, whether in a personal capacity or otherwise, in respect of anything done or omitted to be done by him or under his authority during the period of his administration of that State.

ARTICLE XVI.

(1) The United State hereby guarantees either the continuance in service of the permanent members of the public services of each of the Covenanting States on conditions which will be not less advantageous than those on which they were serving on the 15th April 1948 or the payment of reasonable compensation.

(2) The United State further guarantees the continuance of pensions and leave salaries sanctioned by competent authorities in any of the Covenanting States to members of the public services of that State who have retired, or proceeded on leave preparatory to retirement, and the compassionate allowances granted to dependents of deceased members of those services, before the date on which the administration of that State is handed over to the Raj Pramukh.

(3) The provisions of paragraphs (1) and (2) of this article shall apply also in relation to the public services of any other State merging in the United State.

ARTICLE XVII.

Except with the previous sanction of the Raj Pramukh, no proceedings, civil or criminal, shall be instituted against any person in respect of any act done or purporting to be done in the execution of his duty as a servant of any Covenanting State before the date on which the administration thereof is made over to the Raj Pramukh.

ARTICLE XVIII.

Notwithstanding anything contained in the preceding provisions of this Covenant, the Rulers of Gwalior and Indore shall continue to have and exercise their present powers of suspension, remission or commutation of death sentences in respect of any person who may have been, or is hereafter, sentenced to death for a capital offence committed within the territories of Gwalior or of Indore, as the case may be.

SCHEDULE I.

COVENANTING STATES AND PRIVY PURSE AMOUNTS.

PART A—

	<i>Salute States.</i>	<i>Rs.</i>
1. Alirajpur
2. Barwani
3. Dewas (Senior)
4. Dewas (Junior)
5. Dhar
6. Gwalior 25,/- 0,000
7. Indore 15,00,000
8. Jaora
9. Jhabua
10. Khilchipur
11. Narsingarh
12. Rajgarh
13. Ratlam
14. Sailana
15. Sitanau

PART B—

Non-Salute States

1. Jobat	...	..	..
2. Kathiwarā	...	..	..
3. Kurwai	...	..	..
4. Mathwar	...	..	..
5. Piploda	...	..	..

SCHEDULE II.

SCHEDULED AREAS.

1. In Ratlam State:—

Bajna Tehsil.

2. In Sailana State:—

Raoti Tehsil.

3. In Alirajpur State:—

Bhabra Tehsil, Chandpur Tehsil, Chhakatala Tehsil, Nanpur Tehsil and Rath Tehsil.

4. In Barwani State:—

Pansemal Pargana, Rajpur Pargana and Silawad Pargana.

5. In Jhabua State:—

Jhabua Tehsil, Rambhapur Tehsil, Ranapur Tehsil, Thandla Tehsil, Umrao and Minor Jagirs.

6. In Indore State:—

Nisarpur Pargana, Petlawad Pargana, Segeon Pargana and Sendhwa Pargana.

7. In Gwalior State:—

Sardarpur District.

8. In Dhar State:—

Mandu District, Kukshi District, and Nimanpur District.

9. Jobat State.

10. Kathiawara State.

11. Mathwar State.

NOTE:—Any reference to any State, District Tehsil, Pargana or Jagir shall be construed as a reference to that State District, Tehsil, Pargana, or Jagir as existing on the 1st day of April 1948.

SCHEDULE III

PROVISIONS RELATING TO THE CONSTITUENT ASSEMBLY OF THE UNITED STATE OF MADHYA BHARAT.

1. The Constituent Assembly shall consist of not more than 75 elected representatives of the people of the United State on the basis of one representative for approximately one lakh of the population;

Provided that the people of each Covenanting Salute State and Kurwai shall, irrespective of their number, be entitled to elect at least one representative.

2. The Constituent Assembly may co-opt experts and advisers to assist the Assembly in the task of constitution-making. These experts and advisers so co-opted shall speak and otherwise take part in the proceedings of the Assembly or any Committee of the Assembly of which he may be so named a member but shall not be entitled to vote.

3. The United State shall be divided into territorial constituencies, and the total number of seats shall be distributed among them by assigning to each constituency one or two seats as may be convenient. As far as

possible the constituencies shall be so delimited as not to cut across the boundaries of any compact part of a Covenanted State.

4. The qualifications for membership of the Assembly and for being included in the electoral rolls shall be similar to those prescribed in relation to the United Provinces Legislative Assembly, subject to necessary modifications.

5. An order shall in due course be made and proclaimed by the Raj Pramukh providing, consistently with the foregoing provisions of this Schedule for—

- (a) the delimitation of constituencies;
- (b) the preparation of electoral rolls;
- (c) the qualifications for membership of the Assembly;
- (d) the qualifications entitling persons to vote in the elections;
- (e) conduct of the elections, including bye-elections for the filling of casual vacancies;
- (f) corrupt practices at or in connection with such elections; and
- (g) the decision of doubts and disputes arising out of or in connection with such elections.

SCHEDULE IV.

PROVISIONS RELATING TO THE INTERIM LEGISLATIVE ASSEMBLY OF THE UNITED STATE OF MADHYA BHARAT.

1. The Legislative Assembly shall consist of—

- (a) forty members elected by the members of the Gwalior Legislative Assembly;
- (b) fifteen members elected by the members of the Indore Legislative Assembly; and
- (c) 20 members elected by an electoral college to be constituted by the Raj Pramukh in consultation with the Government of India to represent Covenanted States other than Gwalior and Indore.

2. The election shall be by proportional representation by means of the single transferable vote.

3. The Raj Pramukh may make rules for carrying into effect the foregoing provisions of this Schedule and securing the due constitution of the interim Legislative Assembly.

In confirmation of the above Covenant we append our signatures, on behalf of ourselves, our heirs and successors.

(Sd.) Rulers of the Covenanted States.

The Government of India hereby concur in the above Covenant and guarantee all its provisions. In confirmation whereof Mr. Vapal Pangunni Menon, Secretary to the Government of India in the Ministry of States, appends his signature on behalf and with the authority of the Government of India.

*(Sd.) V. P. MENON,
Secretary to the Government of India,
Ministry of States.*

APPENDIX XVII.

THE COVENANT

entered into by the Rulers of Faridkot, Jind, Kapurthala, Malerkotla, Nabha, Patiala, Kalsia and Nalagarh

for the formation of

PATIALA AND EAST PUNJAB STATES UNION.

We, the Rulers of Faridkot, Jind, Kapurthala, Malerkotla, Nabha, Patiala, Kalsia and Nalagarh,

BEING CONVINCED that the welfare of the people of this region can best be secured by the establishment of a State comprising the territories of our respective States, with a common Executive, Legislature and Judiciary;

AND HAVING resolved to entrust to a Constituent Assembly consisting of elected representatives of the people the drawing up of a democratic Constitution for the State within the framework of the Constitution of India, to which we have already acceded, and of this Covenant;

Do HEREBY, with the concurrence and guarantee of the Government of India, enter into the following Covenant:—

ARTICLE I.

In this Covenant:—

- (a) "Covenanting State" means any of the States mentioned in Schedule I, the Ruler of which has, whether by himself or by a duly authorised representative, signed this Covenant;
- (b) "Covenanting Salute State" means any Covenanting State which is mentioned in Part A of Schedule I;
- (c) "Covenanting Non-Salute State" means any Covenanting State which is mentioned in Part B of Schedule I, and
- (d) unless there is anything repugnant in the subject or context, references to the Ruler of a State include any person or persons for the time being exercising the powers of the Ruler, whether by reason of his minority or for any other reason.

ARTICLE II.

The Covenanting States agree to unite and integrate their territories in one State with a common executive, legislature and judiciary, by the name of Patiala and East Punjab States Union hereinafter referred to as "the Union".

Provided that the Constituent Assembly of the Union formed under Article X of this Covenant may adopt such other name for the Union as it may deem appropriate.

ARTICLE III.

(1) There shall be a Council of Rulers consisting of the Rulers of the Covenanting Salute States and one of the Rulers of the two Covenanting Non-Salute States, who shall alternately for a period of five years hold the seat assigned to them on this Council.

Provided that no Ruler who is less than 21 years of age shall be a member of the Council.

(2) The Council of Rulers shall exercise such functions as are assigned to it by this Covenant, and such other functions, if any, as may be assigned to it by or under the Constitution of the Union.

(3) The Council of Rulers shall elect at a meeting one member of the Council to be the President and another to be the Vice-President of the Council, and the President and the Vice-President so elected shall be the Raj Pramukh and the Up-Raj Pramukh respectively of the Union:

Provided that the Ruler of Patiala shall not take part in the voting for the election of the Vice-President.

(4) For the purposes of the elections referred to in the preceding paragraph, every member shall have such number of votes as is equal to the number of lakhs in the population of his State as ascertained at the last preceding census (any fraction more than half a lakh being reckoned as one lakh and any other fraction being ignored), provided that every member shall have at least one vote.

(5) A Ruler elected as the President or as a Vice-President of the Council shall be entitled to hold office as such President or Vice President, as the case may be, for a term of five years from the date on which he enters upon the duties of that office.

(6) Notwithstanding anything contained in the preceding paragraphs of this Article, the present Rulers of Patiala and Kapurthala shall respectively be the first President, and Vice-President of the Council of Rulers, and shall enter upon the duties of their respective offices on the 15th July, 1948, and the said President and the Vice-President shall be entitled to hold office during their life-time.

ARTICLE IV

(1) In order that they may be enabled to discharge conveniently and with dignity the duties of their respective offices, the Raj Pramukh and the Up-Raj Pramukh shall be paid from the revenues of the Union such consolidated annual allowances as the Government of India may prescribe.

(2) If the Raj Pramukh is, by reason of absence or illness or for any other reason, unable to perform the duties of his office those duties shall, until he has resumed them, be performed by the Up-Raj Pramukh. During such period the Up-Raj Pramukh shall be entitled to the same allowance and other amenities as the Raj Pramukh.

ARTICLE V.

(1) There shall be a Council of Ministers to aid and advise the Raj Pramukh in the exercise of his functions except those under Article VII.

(2) The Ministers shall be chosen by, and shall hold office during the pleasure of the Raj Pramukh.

ARTICLE VI

(1) The Ruler of each Covenanting State shall, as soon as may be practicable, and in any event not later than the 20th of August, 1948, make over the administration of his State to the Raj Pramukh; and thereupon,

- (a) all rights, authority and jurisdiction belonging to the Ruler which appertain, or are incidental to the Government of the Covenanting State shall vest in the Union and shall hereafter be exercisable only as provided by this Covenant or by the Constitution to be framed thereunder;
- (b) all duties and obligations of the Ruler pertaining or incidental to the Government of the Covenanting State shall devolve on the Union and shall be discharged by it;
- (c) all the assets and liabilities of the Covenanting State shall be the assets and liabilities of the Union, and
- (d) the military forces, if any, of the Covenanting State shall become the military forces of the Union.

ARTICLE VII.

(1) Subject to any directions or instructions that may from time to time be given by the Government of India in this behalf, the authority to raise, maintain and administer the military forces of the Union shall vest exclusively in the Raj Pramukh.

(2) Nothing in the preceding paragraph of this Article shall be deemed to prevent the Raj Pramukh from consulting the Council of Ministers in regard to any of the matters mentioned therein.

ARTICLE VIII.

The Raj Pramukh shall, as soon as practicable and in any event not later than the 30th of August 1948 execute on behalf of the Union an Instrument of Accession in accordance with the provisions of Section 6 of the Government of India Act, 1935, and in place of the Instruments of Accession of the several Covenanting States; and he shall by such Instrument accept as matters with respect to which the Dominion Legislature may make laws for the Union all the matters mentioned in List I and List III of the Seventh Schedule to the said Act, except the entries in List I relating to any tax or duty.

ARTICLE IX.

Subject to the provisions of this Covenant and of the Constitution to be framed thereunder the executive authority of the Union shall be exercised by the Raj Pramukh either directly or through officers subordinate to him, but the Raj Pramukh may from time to time consult the Up-Raj Pramukh in important matters connected with the administration of the Union. Nothing in this Article shall prevent any competent legislature of the Union from conferring functions upon subordinate authorities or be deemed to transfer to the Raj Pramukh any functions conferred by any existing law or any Court, Judge, officer, or local or other authority in a Covenanting State.

ARTICLE X.

(1) There shall be formed, as soon as may be practicable a Constituent Assembly in the manner indicated in Schedule II; and it shall be the duty of that Assembly to frame a constitution of a unitary type for the Union within the framework of this Covenant and the Constitution of India, and providing for a Government responsible to the Legislature.

(2) Until a Legislature elected in accordance with the terms of the Constitution framed by it comes into being, the Constituent Assembly as constituted in the manner indicated in Schedule II shall function as the interim Legislature of the Union.

Provided that until a Constitution framed by the Constituent Assembly comes into operation after receiving the assent of the Raj Pramukh, the Raj Pramukh shall have power to make and promulgate Ordinances for the peace and good government of the Union or any part thereof, and any Ordinance so made shall, for the space of not more than six months from its promulgation have the like force of law as an Act passed by the Constituent Assembly; but any such Ordinance may be controlled or superseded by any such Act.

ARTICLE XI.

(1) The Ruler of each Covenanting State shall be entitled to receive annually from the revenues of the Union for his privy purse the amount specified against that Covenanting State in Schedule I;

Provided that if the sum specified in the Schedule in respect of the Ruler of Patiala exceeds Rupees ten lakhs (Rs. 10,00,000), it shall be payable only to the present Ruler of Patiala and not to his successors for whom provision will be made subsequently.

(2) The said amount is intended to cover all the expenses of the Ruler and his family including expenses of his residences, marriages and other ceremonies, etc., and shall subject to the provisions of paragraph (1) neither be increased nor reduced for any reason whatsoever.

(3) The Raj Pramukh shall cause the said amount to be paid to the Ruler in four equal instalments at the beginning of each quarter in advance.

(4) The said amount shall be free of all taxes, whether imposed by the Government of the Union or by the Government of India.

ARTICLE XII.

(1) The Ruler of each Covenanting State shall be entitled to the full ownership, use and enjoyment of all private properties (as distinct from State properties) belonging to him on the date of his making over the administration of that State to the Raj Pramukh.

(2) He shall furnish to the Raj Pramukh before the 20th day of September, 1948, an inventory of all the immovable properties, securities and cash balances held by him as such private property.

(3) If any dispute arises as to whether any item of property is the private property of the Ruler or State property, it shall be referred to such person as the Government of India may nominate in consultation with the Raj Pramukh and the decision of that person shall be final and binding on all parties concerned.

Provided that no such dispute shall be so referable after the 31st day of December, 1948.

ARTICLE XIII.

The Ruler of each Covenanting State, as also the members of his family, shall be entitled to all the personal privileges, dignities and titles enjoyed by them, whether within or outside the territories of the State immediately before the 15th day of August, 1947.

ARTICLE XIV.

(1) The succession, according to law and custom, to the *Gaddi* of each Covenanting State, and to the personal rights, privileges, dignities and titles of the Ruler thereof, is hereby guaranteed.

(2) Every question of disputed succession in regard to a Covenanting State which arises after the inauguration of the Union shall be decided by the Council of Rulers after referring it to a bench consisting of all the available Judges of the High Court of the Union and in accordance with the opinion given by such bench.

ARTICLE XV.

No enquiry shall be made by or under the authority of the Union, and no proceedings shall lie in any court in the Union against the Ruler of any Covenanting State, whether in a personal capacity or otherwise, in respect of anything done or omitted to be done by him or under his authority during the period of his administration of that State.

ARTICLE XVI.

(1) The Union hereby guarantees either the continuance in service of the permanent members of the public services of each of the Covenanting States on conditions which will be not less advantageous than those on which they were serving on the 1st of February 1948 or the payment of reasonable compensation on retirement on proportionate pension.

(2) The Union further guarantees the continuance of pensions and leave salaries sanctioned by competent authorities in any of the Covenanting States to members of the public services of that State who have retired, or proceeded on leave preparatory to retirement, and the compassionate allowances granted to dependents of deceased members of those services, before the date on which the administration of that State is handed over to the Raj Pramukh.

ARTICLE XVII.

Except with the previous sanction of the Raj Pramukh, no proceedings, civil or criminal, shall be instituted against any person in respect of any act done or purporting to be done in the execution of his duty as a servant of any Covenanting State before the date on which the administration thereof is made over to the Raj Pramukh.

SCHEDULE I.

COVENANTING STATES AND PRIVY PURSE AMOUNTS.

PART A—

Salute States.
 Faridkot.
 Jind.
 Kapurthala.
 Moga.
 Nabha.
 Patiala

PART B—

Non-Salute States.
 Kalsia
 Nalagarh.

SCHEDULE II

PROVISIONS RELATING TO THE CONSTITUENT ASSEMBLY OF THE PATIALA AND EAST PUNJAB STATES UNION.

1. The Constituent Assembly shall consist of representatives of the people of the Union on the basis of one representative for approximately one lakh of the population;

Provided that the people of each Covenanting State shall, irrespective of their number, be entitled to elect at least one representative

2 The Constituent Assembly shall be constituted in such manner as the Raj Pramukh may, in consultation with the Government of India, prescribe.

3. The Constituent Assembly may co-opt experts and advisers to assist the Assembly in the task of constitution-making. An expert or adviser so co-opted shall speak and otherwise take part in the proceedings of the Assembly or any Committee of the Assembly of which he may be so named a member but shall not be entitled to vote.

In confirmation of the above Covenant we append our signatures, on behalf of ourselves, our heirs and successors.

(Sd.) *Rulers of the Covenanted States*

The Government of India hereby concur in the above Covenant and guarantee all its provisions. In confirmation whereof Mr. Vapal Pangunni Menon, Secretary to the Government of India in the Ministry of States, appends his signature on behalf and with the authority of the Government of India.

(Sd.) V. P. MENON,

*Secretary to the Government of India,
Ministry of States.*

APPENDIX XVIII.

WHEREAS by Instruments of Accession executed in August, 1947, the Rulers of the States specified in the Schedule hereto have acceded to the Dominion of India;

AND WHEREAS by Covenant entered into in.....1948, the Rulers of the said States have with the consent of the Government of India agreed to the integration of their respective territories into a single State known as the United State of.....in this Instrument referred to as "the United State";

AND WHEREAS it is expedient that a fresh Instrument of Accession should be executed on behalf of the United State replacing the Instruments of Accession executed in August, 1947, by the Rulers of the said States and accepting as matters with respect to which the Dominion Legislature may make laws for the United State all matters mentioned in List I and List III of the Seventh Schedule to the Government of India Act, 1935, except matters relating to taxation;

Now, THEREFORE, I

Raj Pramukh of the United State of.....do hereby execute this Instrument of Accession for and on behalf of the United State, and

i. I hereby declare that I accede to the Dominion of India with the intent that the Governor-General of India, the Dominion Legislature, the Federal Court and any other Dominion authority established for the purposes of the Dominion shall, by virtue of this Instrument of Accession but subject always to the terms thereof, and for the purposes only of the Dominion, exercise in relation to the United State such functions as may be vested in them by or under the Government of India Act, 1935, as for the time being in force in the Dominion of India (which Act as so in force is hereinafter referred to as "the Act").

2. I hereby assume the obligation of ensuring that due effect is given to the provisions of the Act within the United State so far as they are applicable therein by virtue of this Instrument of Accession.

3. I accept all matters enumerated in List I and List III of the Seventh Schedule to the Act as matters in respect of which the Dominion Legislature may make laws for the United State.

Provided that nothing contained in the said Lists or in any other provision of the Act shall be deemed to empower the Dominion Legislature to impose any tax or duty in the territories of the United State or to prohibit the imposition of any duty or tax by the Legislature of the United State in the said territories;

Provided further that where a law of the United State with respect to one of the matters enumerated in the said List III contains any provisions repugnant to the provisions of an earlier Dominion Law or an existing law with respect to that matter, then, if the law of the United State having been reserved for the consideration of the Governor-General of India has received the assent of the Governor-General, the law of the United State shall prevail in the United State but nevertheless the Dominion Legislature may at any time enact further legislation with respect to the same matter;

Provided further that no Bill or amendment for making any provision repugnant to any law of the United State, which, having been so reserved, has received the assent of the Governor-General, shall be introduced or moved in the Dominion Legislature without the previous sanction of the Governor-General.

4. I hereby declare that I accede to the Dominion of India on the assurance that if an agreement is made between the Governor-General and the Raj Pramukh of the United State whereby any functions in relation to the administration in the United State of any law of the Dominion Legislature shall be exercised by the Raj Pramukh, then any such agreement shall be deemed to form part of this Instrument and shall be construed and have effect accordingly.

5. I further declare that the provisions contained in Part VI of the Act with respect to interference with water supplies shall apply in relation to the United State.

6. The terms of this Instrument of Accession shall not be varied by any amendment of the Act or of the Indian Independence Act, 1947, unless such amendment is accepted by the Raj Pramukh of the United State by an Instrument supplementary to this Instrument.

7. Nothing in this Instrument shall empower the Dominion Legislature to make any law for the United State authorising the compulsory acquisition of land for any purpose, but should the Dominion for the purposes of a Dominion Law which applies in the United State deem it necessary to acquire any land the Raj Pramukh of the United State shall at the request and at the expense of the Dominion Government acquire the land or if the land belongs to the United State transfer it to them on such terms as may be agreed, or, in default of agreement, determined by an arbitrator to be appointed by the Chief Justice of India.

8. Nothing in this Instrument shall be deemed to commit the United State in any way to acceptance of any future constitution of India or to fetter the discretion of the Government of the United State to enter into arrangements with the Government of India under any such future constitution.

9. Save as provided by or under this Instrument nothing contained in this Instrument shall affect the exercise of any powers, authority and rights enjoyed by the Raj Pramukh or the validity of any law for the time being in force in the United State or any part thereof.

10. The Instruments of Accession executed in August, 1947, by the Ruiers of the States specified in the Schedule hereto are hereby cancelled.

Given under my hand this.....day of..... 1948

I do hereby accept this Instrument of Accession.

Dated this day of Nineteen hundred and forty-eight.

.....
Governor-General of India.

SCHEDULE.

* * * * *

APPENDIX XIX.

Statement showing Area, Population and Revenue of States that have merged with the Provinces or the Provinces or the Centre or have combined to form new States.

Date of Merger or integration.	Names of States.	Number of States.	Province with which merged.	Area in sq. miles (appro.)	Population (in lakhs).	Revenue (in lakhs).
1	2	3	4	5	6	7
January 1st, 1948	(i) Athgarh, Athmalik, Barara, Barambha, Baudh, Bonai, Daspalha, Dhankana, Gangpur, Hindol, Kalahandi, Keonjhar, Khandpara, Narsingpur, Nayagarh, Nilgiri, Pal Lahara, Patna, Rairakhol, Raipur, Sonapur, Talcher, Tigrinia.	(i) 23	(i) Orissa ...	... 28,637	40·46	98·74
January 1st, 1948	(ii) Bastar, Changbheker, Chhuihaddan, Jashpur, Kanker, Kawardha, Khairagarh, Koren, Nandgaon, Raigarh, Sakti, Sarangarh, Surguja, Udaipur.	(ii) 14	(ii) C. P. & Berar	... 31,598	28·20	88·06
February 1st, 1948	(iii) Makrai	...	(iii) 1	(iii) C. P. & Berar	151	14 ·25
February 23rd, 1948	(iv) Loharu	...	(iv) 1	(iv) East Punjab	226	·28 1·96
February 22nd, 1948	(v) Banganapalle ...	...	(v) 1	(v) Madras	259	·45 3·25
March 3rd, 1948	(vi) Pudukkottai ...	...	(vi) 1	(vi) Madras	1,185	4·38
March 3rd, 1948	(vii) Dujana ...	...	(vii) 1	(vii) East Punjab	91	·31 4·16

Date of Merger or Integration.	Names of States.	Number of States.	Province with which merged.	Area in sq. miles (approx.).	Population (in lakhs).	Revenue (in lakhs).
1	2	3	4	5	6	7
March 8th, 1948	(viii) Akalkot, Aundh, Bhor, Jamkhedi, Jeth, Karandwad (Junior), Karandwad (Senior), Miraj (Junior), Miraj (Senior), Mudhol, Randur, Sangli, Savanur, Savantwadi, Wadi Jaghir, Jaujira and Phaltan.	(viii) 17	(viii) Bombay	...	7,651	16.93
April 7th, 1948	(ix) Patnadi	...	East Punjab	...	53	22
April 15th, 1948	(x) The Punjab Hill States of Baghat, Baisan, Bawali, Bhagat, Bokot, Dhanni, Jubbal, Bijla, Keonihal, Kumarsain, Kunihar, Kuthar, Mahlog, Sangri, Mangal, Sirmur, Tharoh, Chamba, Mandi, and Suket.	(xi) 21	The areas will be centrally administered as a unit to be known as the Himachal Pradesh.	10,600	9.36	4.26
May 18th, 1948	(xi) Seraikele and Kharnawat*	...	Bihar	...	623	2.08
June 1st, 1948	(xii) Kutch	...	(xi) 1 This will be a centrally administered area.	3,461	6.01	64.56
June 10th, 1948	(xiii) The 18 full jurisdictional States of Balasinor, Bansda, Baria, Cambay, Chhota-Udepur, Dharanpur, Jawhar, Lunawada, Rajpipla, Sechin, Sankt, Idar, Vijaigarh, Danta, Palanpur, Junagadh, and Sirohi; and the semi-jurisdictional and non-jurisdictional thanas, Estates and talukas of Gujarat.	(xiii) 167	Bombay	...	19,900	27.09
	Total	...		103,835	184.91	706.40
		241				

*These two States were in the first instance merged with the Orissa Province.

Date of merger or integration.	Names of States.	Number of States.	Name of Union.	Area in sq. miles (approximate).	Population in lakhs.	Revenue in lakhs.
1	2	3	4	5	6	7
II—UNION S.						
February 16th, 1948	...	(i) 449 Units including the 30 jurisdictional States of Nawanganagar, Bhavnagar, Porbandar, Dhrangadhra, Morvi, Gondal, Jaffrabad, Raykot, Wankauer, Palitana, Dhrol, Chuda, Limbdi, Wadhwani, Lakhtiar, Sayla, Vals, Jasdan, Amannagar (Thandévil), Vadia, Lathi, Muli, Bajana, Virpur, Malviya, Kodda-Sangani, Jejpur, Bilkha, Patti and Khrasra.	217 ...	Saurashtra ...	... 31,885 ...	35·22 ... 800·00
March 17th, 1948	...	(ii) Alwar, Bharatpur, Dholpur, and Karauli.	4 ...	The United Matsya.	7,536 ...	18·38 ... 183·06
April 2nd, 1948	...	(iii) Ajmergarh, Baoni, Baraundha, Charkheri, Dati, Mailhar, Nagod, Orolha, Panna, Rewa, Samthar, Alipur, Banka, Pahari, Bari, Bhaisaundha, Bihat, Bijn, Dhurwai, Gaurilar, Garzuli, Jaso, Jigni, Kantha-Bajnula, Khanidhana, Kotli, Jugasi, Naigawan-Rohai, Pahra, Paledao (Nayegan), Sarria, Sohawali, Tarsan and Tori-Totepur,	35 ...	The United State of Vidhyna Pradesh.	24,610 ... 35·69 ...	243·30
April 18th, 1948	...	(iv) Banswara, Bundi, Dungarpur, Jhalawar, Kishenpur, Kota, Partabgarh, Shalpura, Tonk and Udaipur.	10 ...	The United State of Rajasthan.	29,977 ... 42·61 ...	316·67

Date of merger or integration.	Names of States.	Number of States.	Name of Union.	Area in Sq. miles (approximate).	Population in lakhs.	Revenue in lakhs.
		2	3	4	5	7
May 15th, 1948	... Alirajpur, Barwani, Dewas (Senior), Dewas (Junior), Dhar, Gwalior, Indore, Jaora, Jhabua, Khilechpur, Narsingarh, Raigarh, Ratlam, Sejiana, Sitanpur, Jobat, Kathiawara, Kurwai, Mathwar, and Pipoda.	20	... Gwalior-Indore-Malwa Union	46,273	71.50	776.42
July 15th, 1948	... Patiala, Kapurthala, Nabha, Jind, Faridkot, Malerkotla, Nalagarh and Kalsia.	8	... Patiala and East Punjab States Union.	10,119	34.24	500.00
	TOTAL	... 294		160,400	237.64	2819.45
	GRAND TOTAL	.. 535		254,235	372.55	3626.85

List of States having individual representation on the Constituent Assembly of India and treated as viable units.

S. No.	State.			Area.	Population
1.	Boroda	...	...	8,235	2,855,010
2.	Gwalior*	...	...	26,004	4,006,159
3.	Hyderabad	...	...	82,813	16,338,534
4.	Jammu & Kashmir	...	...	84,471	4,021,616
5.	Mysore	...	...	29,458	7,929,140
6.	Bhopal	...	...	6,921	785,322
7.	Indore*	...	...	9,934	1,513,966
8.	Kolhapur	...	...	3,219	1,092,046
9.	Travancore	...	...	7,662	6,070,018
10.	Udaipur (Mewar)*	...	...	13,170	1,926,698
11.	Bikaner	...	...	23,181	1,292,933
12.	Cochin	...	...	1,493	1,422,875
13.	Jaipur	...	...	15,610	3,040,876
14.	Jodhpur	...	...	36,120	2,555,904
15.	Kotah*	...	...	5,714	777,398
16.	Patiala*	...	...	5,942	1,936,259
17.	Rewa*	...	...	12,830	1,820,445
18.	Alwar*	...	...	3,158	823,055
19.	Mayurbhanj	...	...	4,081	990,977

*These States have joined one or other of the Unions formed.

List of non-viable States not affected so far by any merger or integration scheme.

S. No.	State.			Area.	Population.
1.	Benares	...	...	966	451,428
2.	Cooch Behar	...	...	1,318	640,842
3.	Jaisalmer	...	...	15,980	93,246
4.	Khasi States	...	...	3,788	213,586
5.	Manipur	...	...	8,620	512,069
6.	Rampur	894	477,042
7.	Sandur	158	15,814
8.	Tehri-Garhwal	4,516	397,369
9.	Tripura	4,116	513,010

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